

To: Councillor McKenna (Chair)
Councillors Sokale, Carnell, Duveen, Ennis,
Lovelock, McEwan, Page, Robinson,
Rowland, DP Singh, Stanford-Beale,
J Williams and R Williams

Direct ☎ :
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7 January 2020

Your contact is: **Nicky Simpson**

NOTICE OF MEETING - PLANNING APPLICATIONS COMMITTEE 15 JANUARY 2020

A meeting of the Planning Applications Committee will be held on Wednesday, 15 January 2020 at 6.30 pm in the Council Chamber, Civic Offices, Bridge Street, Reading RG1 2LU. The Agenda for the meeting is set out below.

AGENDA	ACTION	WARDS AFFECTED	PAGE NO
1. MINUTES	Decision		9 - 14
2. DECLARATIONS OF INTEREST	-		
3. QUESTIONS	-		
4. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS	Decision		15 - 18
5. PLANNING APPEALS	Information		19 - 32
6. APPLICATIONS FOR PRIOR APPROVAL	Information		33 - 40
7. 191144/FUL - 49A-51A GEORGE STREET	Decision	ABBEY	41 - 56
Proposal	Residential development for a total of six dwellings (net increase of 4 dwellings), comprising re-modelling of 49A and 51A George Street, two storey and single storey rear extensions, rear dormer windows and external alterations to form four apartments and demolition of existing warehouse and construction of two apartments.		
Recommendation	Permitted subject to Legal Agreement		

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8. 191383/VAR & 191385/FUL - 8 ST Decision CAVERSHAM 57 - 80
JOHNS ROAD, CAVERSHAM

191383/VAR
Proposal

Part-one, part-two storey side and rear extensions and associated alterations without complying with Condition 2 (approved plans) of Planning Permission 171850 regarding building footprint, roof form and external appearance (Retrospective)

Recommendation
191385/FUL
Proposal

Application Refused

Change of use from a C4 HMO to a Sui Generis 7 bedroom HMO with parking and amenity space.

Recommendation

Application Refused

9. 191755/FUL - 60 CHRISTCHURCH Decision CHURCH 81 - 94
ROAD

Proposal

Change of use of ground floor to Class A3 cafe/restaurant. Changes to shop front and kitchen extract equipment on rear flat roof.

Recommendation

Application Permitted

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Members of the public who participate in the meeting will be able to speak at an on-camera or off-camera microphone, according to their preference.

Please speak to a member of staff if you have any queries or concerns.

KEY TO CODING OF PLANNING APPLICATIONS

1. Planning application reference numbers are made up of 2 parts.
 - 1.1 The number begins with the year e.g. **19**
 - 1.2 This is followed by a consecutive number, showing what number the application is in any year (e.g. **190128**).
 - 1.3 The following codes are used to abbreviate the type of permission sought:
 - FUL - Full detailed planning permission for development or change of use
 - OUT - Principal of developing a site or changing a use
 - REM - Detailed matters “reserved matters” - for permission following approval of an outline planning application.
 - HOU - Applications for works to domestic houses
 - ADV - Advertisement consent
 - APC - Approval of details required by planning conditions
 - VAR - Significant change to a planning permission previously granted
 - NMA - Insignificant change to a planning permission previously granted
 - ADJ - Consultation from neighbouring authority on application in their area
 - LBC - Works to or around a Listed Building
 - CLE - A certificate to confirm what the existing use of a property is
 - CLP - A certificate to confirm that a proposed use or development does not require planning permission to be applied for.
 - REG3 - Indicates that the application has been submitted by the Local Authority.
2. The following is a key to existing officers with their direct dial telephone numbers.

GF1	-	Giorgio Framaliccio	9372604
JW6	-	Julie Williams	9372461
RJE	-	Richard Eatough	9373338
JPM	-	Jonathan Markwell	9372458
SDV	-	Steve Vigar	9372980
CJB	-	Christopher Beard	9372430
SGH	-	Stephen Hammond	9374424
MDW	-	Mark Worringham	9373337
AJA	-	Alison Amoah	9372286
SEH	-	Sarah Hanson	9372440
BXP	-	Boja Petkovic	9372352
MJB	-	Matthew Burns	9373625
EH1	-	Ethne Humphreys	9374085
TRH	-	Tom Hughes	9374150
SFB	-	Susanna Bedford	9372023
NW2	-	Nathalie Weekes	9374237
TF1	-	Tom French	9374068
CD3	-	Connie Davis	9372413
AS9	-	Anthony Scholes	9374729
JO1	-	James Overall	9374532
BC2	-	Brian Conlon	9373859
JPS	-	James Schofield	9374656
DB5	-	David Brett	9374227

Material planning considerations

Material planning considerations can include (but are not limited to):

- Overlooking/loss of privacy
- Loss of daylight/sunlight or overshadowing
- Scale and dominance
- Layout and density of buildings
- Appearance and design of development and materials proposed
- Disabled persons' access
- Highway safety
- Traffic and parking issues
- Drainage and flood risk
- Noise, dust, fumes etc
- Impact on character or appearance of area
- Effect on listed buildings and conservation areas
- Effect on trees and wildlife/nature conservation
- Impact on the community and other services
- Economic impact and sustainability
- Government policy
- Proposals in the Local Plan
- Previous planning decisions (including appeal decisions)
- Archaeology

Concerns that cannot be taken into account:

- Who the applicant is/the applicant's background
- Loss of views
- Loss of property value
- Loss of trade or increased competition
- Strength or volume of local opposition
- Construction noise/disturbance during development
- Fears of damage to property
- Maintenance of property
- Boundary disputes, covenants or other property rights
- Rights of way and ownerships disputes over rights of way
- Personal circumstances

Glossary of usual terms

Affordable housing - Housing provided below market price to meet identified needs.

Air Quality Management Area (AQMA) - Area where air quality levels need to be managed.

Apartment-hotel - A use providing basic facilities for self-sufficient living with the amenities of a hotel. Generally classed as C1 (hotels) for planning purposes.

Article 4 Direction - A direction which can be made by the Council to remove normal permitted development rights.

BREEAM - A widely used means of reviewing and improving the environmental performance of generally commercial developments (industrial, retail etc).

Brownfield Land - previously developed land.

Brown roof - A roof surfaced with a broken substrate, e.g. broken bricks.

Building line - The general line along a street beyond which no buildings project.

Bulky goods - Large products requiring shopping trips to be made by car: e.g. DIY or furniture.

CIL - Community Infrastructure Levy. Local authorities in England and Wales levy a charge on new development to be spent on infrastructure to support the development of the area.

Classified Highway Network - The network of main roads, consisting of A, B and C roads.

Conservation Area - areas of special architectural or historic interest designated by the local authority. As designated heritage assets the preservation and enhancement of the area carries great weight in planning permission decisions.

Control of Major Accident Hazards (COMAH) Competent Authority - The Control of Major Accident Hazards Regulations 1999 (COMAH) and their amendments 2005, are the enforcing regulations within the United Kingdom. They are applicable to any establishment storing or otherwise handling large quantities of industrial chemicals of a hazardous nature. Types of establishments include chemical warehousing, chemical production facilities and some distributors.

Dormer Window - Located in the roof of a building, it projects or extends out through the roof, often providing space internally.

Dwelling- A single housing unit - a house, flat, maisonette etc.

Evening Economy A term for the business activities, particularly those used by the public, which take place in the evening such as pubs, clubs, restaurants and arts/cultural uses.

Flood Risk Assessment - A requirement at planning application stage to demonstrate how flood risk will be managed.

Flood Zones - The Environment Agency designates flood zones to reflect the differing risks of flooding. Flood Zone 1 is low probability, Flood Zone 2 is medium probability, Flood Zone 3a is high probability and Flood Zone 3b is functional floodplain.

Granny annexe - A self-contained area within a dwelling house/ the curtilage of a dwelling house but without all the facilities to be self contained and is therefore dependent on the main house for some functions. It will usually be occupied by a relative.

Green roof - A roof with vegetation on top of an impermeable membrane.

Gross floor area - Total floor area of the house, including all floors and garage, measured externally.

Hazardous Substances Consent - Consent required for the presence on, over, or under land of any hazardous substance in excess of controlled quantity.

Historic Parks and Gardens - Parks and gardens of special historic interest, designated by English Heritage.

Housing Association - An independent not-for-profit body that provides low-cost "affordable housing" to meet specific housing needs.

Infrastructure - The basic services and facilities needed for the smooth running of a community.

Lifetime Home - A home which is sufficiently adaptable to allow people to remain in the home despite changing circumstances such as age or disability.

Listed building - Buildings of special architectural or historic interest. Consent is required before works that might affect their character or appearance can be undertaken. They are divided into Grades I, II and II*, with I being of exceptional interest.

Local Plan - The main planning document for a District or Borough.

Luminance - A measure of the luminous intensity of light, usually measured in candelas per square metre.

Major Landscape Feature - these are identified and protected in the Local Plan for being of local significance for their visual and amenity value

Public realm - the space between and within buildings that is publicly accessible, including streets, squares, forecourts, parks and open spaces whether publicly or privately owned.

Scheduled Ancient Monument - Specified nationally important archaeological sites.

Section 106 agreement - A legally binding agreement or obligation entered into by the local authority and a land developer over an issue related to a planning application, under Section 106 of the Town and Country Planning Act 1990.

Sequential approach A method of considering and ranking the suitability of sites for development, so that one type of site is considered before another. Different sequential approaches are applied to different uses.

Sui Generis - A use not specifically defined in the use classes order (2004) - planning permission is always needed to change from a sui generis use.

Sustainable development - Development to improve quality of life and protect the environment in balance with the local economy, for now and future generations.

Sustainable Drainage Systems (SUDS) - This term is taken to cover the whole range of sustainable approaches to surface water drainage management.

Tree Preservation Order (TPO) - An order made by a local planning authority in respect of trees and woodlands. The principal effect of a TPO is to prohibit the cutting down, uprooting, topping, lopping, wilful damage or wilful destruction of trees without the LPA's consent.

GUIDE TO USE CLASSES ORDER
and Permitted Changes of Use (England)

The table below summarises the permitted changes of use as of 25 May 2019. The table simplifies the complex legislation and should be read as a guide only.

From	To
A1 (shops)	<p>A2</p> <p>A3 up to 150m² and subject to Prior Approval</p> <p>B1 up to 500m² and subject to Prior Approval</p> <p>C3 up to 150m² and subject to Prior Approval</p> <p>D2 up to 200m² and subject to Prior Approval and only if the premises was in A1 use on 5th December 2013</p> <p>A mixed use comprising an A1 or A2 use and up to two flats may also be permitted subject to meeting certain conditions</p>
A2 (professional and financial services) when premises have a display window at ground level, but excluding betting offices or pay day loan shops	<p>A1</p> <p>A3 up to 150m² and subject to Prior Approval</p> <p>B1 up to 500m² and subject to Prior Approval</p> <p>C3 up to 150m² and subject to Prior Approval</p> <p>D2 subject to Prior Approval and only if the premises was in A2 use on 5th December 2013</p> <p>A mixed use comprising an A1 or A2 use and up to two flats may also be permitted subject to meeting certain conditions</p>
A3 (restaurants and cafes)	A1 or A2
A4 (drinking establishments)	A4 drinking establishment with A3 (restaurants and cafes)
A4 (drinking establishment) with A3 (restaurants and cafes)	A4 (drinking establishments)
A5 (hot food takeaways)	<p>A1 or A2 or A3</p> <p>B1 up to 500m² and subject to Prior Approval</p> <p>C3</p>
B1 (business)	B8 up to 500m ²
B2 (general industrial)	<p>B1</p> <p>B8 up to 500m²</p>
B8 (storage and distribution)	<p>B1 up to 500m²</p> <p>C3 (subject to prior approval)</p>
C3 (dwellinghouses)	C4 (small houses in multiple occupation)
C4 (small houses in multiple occupation)	C3 (dwellinghouses)
Sui Generis (casinos)	<p>D2</p> <p>A3 only if existing building is under 150m² and subject to Prior Approval</p> <p>C3 up to 150m² and subject to Prior Approval.</p>
Sui Generis (betting offices and pay day loan shops)	<p>A1</p> <p>A2</p> <p>A3 up to 150m² and subject to Prior Approval</p> <p>B1 up to 500m² and subject to Prior Approval</p> <p>C3 up to 150m² and subject to Prior Approval</p> <p>A mixed use comprising a betting office or a pay day loan shop, or an A1 or A2 use and up to two flats may also be permitted subject to meeting certain conditions.</p> <p>D2</p>

From	To
Sui Generis (laundrette)	B1 up to 500m ² and subject to Prior Approval
	C3 up to 150m ² and subject to Prior Approval
Sui Generis (agricultural buildings)	A1, A2, A3, B1, B8, C1, C3, D2 , all subject to meeting relevant criteria and Prior Approval.

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Present: Councillor McKenna (Chair);
Councillors Sokale (Vice-Chair), Carnell, Ennis, Lovelock, McEwan, Page, Rowland, Stanford-Beale and J Williams

Apologies: Councillors Robinson and R Williams

RESOLVED ITEMS

92. MINUTES

The Minutes of the meeting held on 13 November 2019 were agreed as a correct record and signed by the Chair.

93. DECLARATIONS OF INTEREST

Councillor McEwan declared a prejudicial interest in Item 98 (76 Christchurch Road) on the grounds of predetermination.

Councillors Ennis and Rowland declared prejudicial interests in Item 100 (Southcote Lodge) on the grounds of predetermination.

94. POTENTIAL SITE VISITS FOR COMMITTEE ITEMS

The Executive Director for Economic Growth and Neighbourhood Services submitted, at the meeting, a schedule of applications to be considered at future meetings of the Committee to enable Councillors to decide which sites, if any, they wished to visit prior to determining the relevant applications.

Resolved -

- (1) That the under-mentioned application, together with any additional applications which the Assistant Director of Planning, Transport and Regulatory Services might consider appropriate, be the subject of an accompanied site visit:

191383 - 8 ST JOHNS ROAD, CAVERSHAM

Part-one, part-two storey side and rear extensions and associated alterations without complying with Condition 2 (approved plans) of Planning Permission 171850 regarding building footprint, roof form and external appearance (Retrospective).

- (2) That the under-mentioned application, together with any additional applications which the Assistant Director of Planning, Transport and Regulatory Services might consider appropriate, be the subject of an unaccompanied site visit:

191634 - HAMILTON CENTRE, 135 BULMERSHE ROAD

Conversion of Hamilton Centre into 2 storey Special Educational Needs College for 11 - 18 yr olds. Project also includes a 500m2 new build extension, car parking, landscaping and multi-use sports area.

- (3) That the Assistant Director of Planning, Transport and Regulatory Services consider whether an accompanied site visit was required for the under-mentioned application, and whether this should be held in conjunction with a visit to a neighbouring site for which a planning application had also been submitted:

191792 - 71-73 CAVERSHAM ROAD

Demolition of former retail warehouse and erection of a new part 1, part 5, part 7 storey mixed-use building comprising 44 residential units, 239 sqm of retail floorspace (Use Class A1) at ground floor and associated car parking, cycle parking and landscaping.

95. PLANNING APPEALS

(i) New Appeals

The Executive Director for Economic Growth and Neighbourhood Services submitted a schedule giving details of notification received from the Planning Inspectorate regarding three planning appeals, the method of determination for which she had already expressed a preference in accordance with delegated powers, which was attached as Appendix 1 to the report.

(ii) Appeals Recently Determined

The Executive Director for Economic Growth and Neighbourhood Services submitted details of three decisions that had been made by the Secretary of State, or by an Inspector appointed for the purpose, which were attached as Appendix 2 to the report.

(iii) Reports on Appeal Decisions

There were no reports on appeal decisions.

Resolved -

- (1) That the new appeals, as set out in Appendix 1, be noted;
- (2) That the outcome of the recently determined appeals, as set out in Appendix 2, be noted.

96. APPLICATIONS FOR PRIOR APPROVAL

The Executive Director for Economic Growth and Neighbourhood Services submitted a report giving details in Table 1 of six pending prior approval applications, and in Table 2

of six applications for prior approval decided between 1 November and 27 November 2019.

Resolved - That the report be noted.

97. 191088/FUL - CROWNE PLAZA READING, RICHFIELD AVENUE

Redevelopment of former Crowne Plaza Hotel car park and construction of new 132-bed hotel (Use Class C1), with associated access, car parking and landscaping.

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which summarised comments from the Conservation consultant, clarified the objections on transport and parking grounds, and provided additional information on the s106 contribution and impact on Equality. The update report proposed amendments to two of the recommended reasons for refusal.

Comments and objections were received and considered.

Resolved -

That the application be refused for the reasons set out in the original report, as amended by the update report.

98. 190760/FUL & 190929/FUL - 76 CHRISTCHURCH ROAD

190760/FUL Proposal: Change of use ground, first and second floor of A2 (Bank) to A5 on the ground floor, and on first and second floor from A2 to C4 HMO. Part-retrospective application for flat roof rear dormer.

190929/FUL Proposal: Change of use of 1st and 2nd floors from bank (Class A2) to C4 HMO. Part-retrospective application for flat roof rear dormer.

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above applications. An update report was tabled at the meeting which summarised additional representations received, set out a corrected plan of the shopping parade, and recommended an additional condition for a litter management strategy. Four additional HMO conditions relating to a management plan, maintenance of the living room, a refuse and recycling plan, and specific cycle storage were also recommended verbally at the meeting.

Comments and objections were received and considered.

(Councillor McEwan declared a prejudicial interest in this item on the grounds of predetermination, left the room and took no part in the debate or decision. Nature of interest: Councillor McEwan had been contacted by interested parties and had formed a predetermined view on the applications.)

Resolved -

That planning permission for applications 190760/FUL and 190929/FUL be granted, subject to the conditions and informatives as recommended in Appendix 1 to the original report, with an additional condition for a litter management strategy for application 190760 as recommended in the update report, and with the four additional HMO conditions as recommended at the meeting.

99. 191677/REG3 - MAPLEDURHAM PLAYING FIELDS, UPPER WOODCOTE ROAD, CAVERSHAM

Refurbishment and single storey front rear and side extensions to the pavilion building.

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application. An update report was tabled at the meeting which set out consultation comments on the application from Transport Development Control, confirmed that no public representations had been received, and provided further information on sustainability. An additional condition on energy improvement works was recommended.

Comments were received and considered.

Resolved - That, pursuant to Regulation 3 of the Town and Country Planning General Regulations 1992, the carrying out of the development 191677/REG3 be authorised, subject to the conditions and informatives as recommended in the original report, with the additional condition recommended in the update report.

100. 191396/LBC - SOUTHCOTE LODGE, BURGHELD ROAD

Replacement of existing timber sliding sash windows with new white uPVC double-glazed sliding sash windows within existing window openings in Grade II Listed Building (resubmission of 181469).

The Executive Director for Economic Growth and Neighbourhood Services submitted a report on the above application.

Comments and objections were received and considered.

Supporters Barbara Chowns and Frances Distin, and Ward Councillor Jason Brock, attended the meeting and addressed the Committee on this application.

Councillor Ennis declared a prejudicial interest in this item on the grounds of predetermination, made a statement as Ward Councillor then left the room and took no part in the debate or decision. Nature of interest: Councillor Ennis had been contacted by residents and had formed a predetermined view on the application.

PLANNING APPLICATIONS COMMITTEE MEETING MINUTES - 11 DECEMBER 2019

Councillor Rowland declared a prejudicial interest in this item on the grounds of predetermination, made a statement then left the room and took no part in the debate or decision. Nature of interest: Councillor Rowland was employed as a heritage consultant and had formed a predetermined view on the application.

The meeting was briefly adjourned to allow members of the Committee to examine an example of a heritage uPVC window.

Resolved -

That the application be refused for the reason set out in the report, with the informatives as recommended.

(The meeting started at 6.30 pm and closed at 8.02 pm)

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READING BOROUGH COUNCIL
REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD
SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
Date:	15 January 2020		
TITLE:	POTENTIAL SITE VISITS FOR COMMITTEE ITEMS		
SERVICE:	PLANNING	WARDS:	BOROUGH WIDE
AUTHOR:	Julie Williams	TEL:	0118 9372461
JOB TITLE:	Acting Planning Manager	E-MAIL:	Julie.williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To identify those sites where, due to the sensitive or important nature of the proposals, Councillors are advised that a Site Visit might be appropriate before the meeting of the next Committee (or at a future date) and to confirm how the visit will be arranged.

2. RECOMMENDED ACTION

- 2.1 That you resolve to visit the sites which will be identified by officers in a paper in the update Agenda on the day of the forthcoming Planning Applications Committee and confirm if there are any other sites Councillors consider necessary to visit before reaching a decision on an application.
- 2.2 That you confirm how the site will be visited, unaccompanied or accompanied, and if accompanied agree the site visit date and time.

3. THE PROPOSAL

- 3.1 The potential list of agenda items submitted since the last meeting of the Planning Applications Committee will be provided with the update Agenda on the day of forthcoming Planning Applications Committee. Where appropriate, I will identify those applications that I feel warrant a site visit by the Committee prior to formal consideration of the proposals.
- 3.2 Councillors may also request a site visit to other sites on that list if they consider it relevant to their ability to reach a decision on the application.
- 3.3 Officers may also recommend a site visit if they intend to report a normally delegated application to the Committee for a decision.
- 3.4 A site visit may also be proposed in connection with a planning enforcement issue which is before the Committee for consideration.

- 3.5 Site visits in the above circumstances should all take place in advance of a Committee decision and should only be used where the expected benefit is substantial.
- 3.6 A site visit is only likely to be necessary if the impact of the proposed development is difficult to visualise from the plans and any supporting material including photographs taken by officers (although, if this is the case, additional illustrative material should have been requested); or, there is a good reason why the comments of the applicant and objectors cannot be expressed adequately in writing; or, the proposal is particularly contentious.
- 3.7 Accompanied site visits consist of an arranged inspection by a viewing Committee, with officers in attendance and by arrangement with the applicant or their agent. Applicants and objectors however will have no right to speak but may observe the process and answer questions when asked. The visit is an information gathering opportunity and not a decision making forum.
- 3.8 Recently Councillors have expressed a preference to carry out unaccompanied site visits, where the site is easily viewable from public areas, to enable them to visit the site when convenient to them. In these instances the case officer will provide a briefing note on the application and the main issues to be considered by Councillors when visiting the site.
- 3.9 There may also be occasions where officers or Councillors request a post completion site visit in order to review the quality or impact of a particular development.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 The purpose of the planning service is to support the delivery of economic and sustainable growth while providing appropriate regulation to secure an attractive and safe town. We do this by maintaining planning performance and developing policy and systems to secure sustainable development. This contributes to the following priorities in the Corporate Plan 2018-21:
- Securing the economic success of Reading;
 - Improving access to decent housing to meet local needs;
 - Keeping Reading's environment clean, green and safe;
 - Promoting great education, leisure and cultural opportunities for people in Reading.

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Statutory neighbour consultation takes place on planning applications.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 Officers when assessing an application and when making a recommendation to the Committee, will have regard to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

7.1 None arising from this report.

8. FINANCIAL IMPLICATIONS

8.1 The cost of site visits is met through the normal planning service budget.

9. BACKGROUND PAPERS

Reading Borough Council Planning Code of Conduct.

Local Safety Practice 2013 Planning Applications Committee site visits.

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READING BOROUGH COUNCIL
REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND
NEIGHBOURHOOD SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	15 January 2020		
TITLE:	PLANNING APPEALS		
AUTHOR:	Julie Williams	TEL:	0118 9372461
JOB TITLE:	Planning Manager	E-MAIL:	Julie.Williams@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To report notifications received from the Planning Inspectorate on the status of various planning appeals.

2. RECOMMENDED ACTION

- 2.1 That you note the appeals received and the method of determination as listed in Appendix 1 of this report.
- 2.2 That you note the appeals decided as listed in Appendix 2 of this report.
- 2.3 That you note the Planning Officers reports on appeal decisions provided in Appendix 3 of this report.

3. INFORMATION PROVIDED

- 3.1 Please see Appendix 1 of this report for new appeals lodged since the last committee.
- 3.2 Please see Appendix 2 of this report for new appeals decided since the last committee.
- 3.3 Please see Appendix 3 of this report for new Planning Officers reports on appeal decisions since the last committee.

4. CONTRIBUTION TO STRATEGIC AIMS

- 4.1 Defending planning appeals made against planning decisions contributes to producing a sustainable environment and economy within the Borough and to meeting the 2015 -18 Corporate Plan objective for “Keeping the town clean, safe, green and active.”

5. COMMUNITY ENGAGEMENT AND INFORMATION

- 5.1 Planning decisions are made in accordance with adopted local development plan policies, which have been adopted by the Council following public consultation. Statutory consultation also takes place on planning applications and appeals and this can have bearing on the decision reached by the Secretary of State and his Inspectors. Copies of appeal decisions are held on the public Planning Register.

6. EQUALITY IMPACT ASSESSMENT

- 6.1 Where appropriate the Council will refer in its appeal case to matters connected to its duties Under the Equality Act 2010, Section 149, to have due regard to the need to—
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7. LEGAL IMPLICATIONS

- 7.1 Public Inquiries are normally the only types of appeal that involve the use of legal representation. Only applicants have the right to appeal against refusal or non-determination and there is no right for a third party to appeal a planning decision.

8. FINANCIAL IMPLICATIONS

- 8.1 Public Inquiries and Informal Hearings are more expensive in terms of officer and appellant time than the Written Representations method. Either party can be liable to awards of costs. Guidance is provided in Circular 03/2009 “Cost Awards in Appeals and other Planning Proceedings”.

9. BACKGROUND PAPERS

- 9.1 Planning Appeal Forms and letters from the Planning Inspectorate.

APPENDIX 1

Appeals Lodged:

WARD: NORCOT
APPEAL NO: APP/E0345/D/19/3237818
CASE NO: 190988
ADDRESS: 1 Links Drive
PROPOSAL: Two storey side extension
CASE OFFICER: Connie Davis
METHOD: Written Representations
APPEAL TYPE: HOUSEHOLDER REFUSAL
APPEAL LODGED: 02.12.2019

WARD: BATTLE
APPEAL NO: APP/E0345/W/19/3239477
CASE NO: 181404
ADDRESS: Land rear of 578 - 584 Oxford Road
PROPOSAL: Demolition of existing building and erection of two storey building containing 4 x Studio flats.
CASE OFFICER: Anthony Scholes
METHOD: Written Representations
APPEAL TYPE: REFUSAL
APPEAL LODGED: 10.12.2019

WARD: THAMES
APPEAL NO: APP/E0345/W/19/3237994
CASE NO: 190434
ADDRESS: Land to the rear of 27-43 Blenheim Road
PROPOSAL: Erection of 3 dwellings with parking, landscaping and access from Blenheim Road
CASE OFFICER: James Overall
METHOD: Written Representations
APPEAL TYPE: REFUSAL
APPEAL LODGED: 10.12.2019

WARD: ABBEY
APPEAL NO: APP/E0345/C/19/3239633
CASE NO: E18097
ADDRESS: 30 Addison Road
PROPOSAL: Unauthorized Development Outbuilding/extension
CASE OFFICER: Chris Beard
METHOD: Written Representations
APPEAL TYPE: ENFORCEMENT
APPEAL LODGED: 19.12.2019

APPENDIX 2

Appeals Decided:

WARD: REDLANDS
APPEAL NO: APP/E0345/X/18/3219538
CASE NO: 180154
ADDRESS: 44 Addington Road
PROPOSAL: Certificate of lawfulness for the existing use of the first floor of the building as a one bedroom flat
CASE OFFICER: Connie Davis
METHOD: Written Representation
DECISION: WITHDRAWN
DATE DETERMINED: 10.12.2019

WARD: NORCOT
APPEAL NO: APP/E0345/W/19/3220213
CASE NO: 180849
ADDRESS: Land adj. to Thorpe House Colliers Way
PROPOSAL: Outline application for residential redevelopment to provide a maximum of 14 dwelling units. Demolition of dwelling at 16 Kirton Close to provide access. (Appearance, Landscaping, Layout and Scale reserved for future consideration).
CASE OFFICER: Ethne Humphreys
METHOD: Informal Hearing
DECISION: DISMISSED
DATE DETERMINED: 17.12.2019

WARD: SOUTHCOTE
CASE NO: 180154
ADDRESS: 96 Bath Road
PROPOSAL: Demolition of existing dwelling and the erection of a block of 8 flats
CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 17.12.2019

WARD: KATESGROVE
CASE NO: 190205
ADDRESS: 43 South Street
PROPOSAL: Internal Alterations to Remove Lower Ground Floor Internal Walls, Alterations to the Existing Stair to provide Additional Balustrading, Construction of Replacement Sanitary Accommodation including Alterations to the Internal Drainage and Addition of a Mechanical Extractor Vent.
CASE OFFICER: Nathalie Weekes
METHOD: Written Representation
DECISION: ALLOWED
DATE DETERMINED: 18.12.2019

WARD: ABBEY
CASE NO: 172205
ADDRESS: 18 Russell Street
PROPOSAL: Erection of two-storey rear extension to accommodate a 1 bedroom flat
CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 19.12.2019

WARD: ABBEY
CASE NO: 172206/LBC
ADDRESS: 18 Russell Street
PROPOSAL: Erection of two-storey rear extension to accommodate a 1 bedroom flat
CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 19.12.2019

WARD: ABBEY
CASE NO: 172206/LBC
ADDRESS: 18 Russell St
PROPOSAL: Erection of two-storey rear extension to accommodate a 1 bedroom flat
CASE OFFICER: Ethne Humphreys
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 19.12.2019

WARD: CHURCH
CASE NO: 180750
ADDRESS: 85 Cressingham Road
PROPOSAL: Demolition of existing two storey dwelling/shop and erection of two storey detached building at front of site consisting of ground floor shop and 2 flats above and two storey building at rear of site consisting ground floor dwelling with 2 dwellings above (re-submission of 171277).
CASE OFFICER: Julie Williams
METHOD: Written Representation
DECISION: DISMISSED
DATE DETERMINED: 24.12.2019

APPENDIX 3

Address Index of Planning Officers reports on appeal decisions.

Land adjacent to Thorpe House, Colliers Way

18 Russell Street, Reading

Planning Officers reports on appeal decisions attached.

Appeal No: APP/E0345/W/19/3220213

Planning Ref: 180849

Site: Land adjacent to Thorpe House, Colliers Way, Reading RG30 2QS

Proposal: The development proposed is residential development to provide a maximum of 14 dwelling units and demolition of dwelling at 16 Kirton Close to provide access.

Decision level: Committee decision on 20/07/18

Method: Informal Hearing

Decision: Appeal Dismissed

Date Determined: 17 December 2019

Inspector: Mike Hayden

1. BACKGROUND

- 1.1 The appeal site comprises an area of open land to the east of Thorpe House, with a treed embankment to the north of the site and public footpath to the south of the site. At the time of the application and the appeal, the site was enclosed by timber hoardings.
- 1.2 The 2018 application received a significant number of public consultation responses, with a total of 1 response in support and 33 separate objections received as part of the original consultation. In July 2018 Planning Applications Committee concurred with the officer level recommendation to refuse planning permission for the following reasons:
 - 1.The proposed development would result in the loss of open space that has not been previously developed and which makes a positive contribution to the character, appearance and environmental quality of the area due to its openness, undeveloped character and green vegetated appearance. As such the proposed development would be contrary to Policies CS7 and CS28 of the Reading Borough LDF Core Strategy 2008 (altered 2015).
 - 2.The amount of development proposed within the main body of the site would require a scale of building (or buildings) that would appear as an incongruous, jarring and poorly integrated feature within the context of the notably modest scale of development in adjacent streets. The minimal distance that would be likely to exist between the building(s) and north eastern and south western site boundaries would result in an overly cramped appearance, further adding to the visual harm. For these reasons the development would represent an overdevelopment of the site, fail to respond positively to its local context, and fail to reinforce local character and distinctiveness. The proposal would therefore harm the character and appearance of the area, contrary to Policies CS7, CS15 and CS28 of the Reading Borough LDF Core Strategy 2008 (altered 2015).
 - 3.The proposed removal of the dwelling at 16 Kirton Close and its replacement with an access roadway and vehicle parking area would result in the loss of continuity and enclosure within the established street scene which is characterised by a regular built form of a distinctive style and appearance. The proposed access would result in a disjointed and visually stark arrangement of access road and vehicle parking to the detriment of the existing streetscene and contrary to Policy CS7 of the Reading Borough LDF Core Strategy 2008 (altered 2015).
 - 4.The proposal would generate traffic crossing an existing footpath / cycle path, without giving priority to pedestrians and cyclists. This would result in an increased risk of accidents to users of the footpath and would be in conflict with Core Strategy Policy CS20 and Sites and Detailed Policies document Policy DM12.
 - 5.The proposal includes the unnecessary and unjustified removal of a TPO-protected tree of amenity value (Norway Maple T1 of TPO; T540 of tree survey) at the northern corner of the site. As such the proposal fails to preserve and not harm the character and appearance of the

site and area within which it is located, including the wider contribution to visual amenity provided by mature trees. The proposals are therefore contrary to Policies CS7, CS38 and DM18.

6. The application fails to demonstrate that the proposed amount of development can be accommodated without harm to the amenity of occupiers of neighbouring dwellings caused by a loss of privacy to windows and gardens due to overlooking; overbearing effects resulting from the likely scale and proximity of the building; and disturbance from vehicle movements adjacent to Thorpe House. As such the proposal is contrary to Policies DM4 and CS15.
 7. The application fails to demonstrate that the proposed amount of development can be accommodated in a manner which provides adequate outlook, daylight, sunlight and private outdoor amenity space for future occupiers. As such the proposal would be harmful to the amenity of future occupiers, contrary to Policy DM4.
 8. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough and the objective of creating mixed and balanced communities and as such is contrary to Policy CS16, Affordable Housing Supplementary Planning Document (2013) and para. 50 of the NPPF.
 9. In the absence of a completed legal agreement to secure an acceptable mitigation plan or equivalent contribution towards the provision of Employment, Skills and Training for the construction phase of the development, the proposal fails to contribute adequately to the employment, skills or training needs of local people with associated socioeconomic harm, contrary to Policies CS3, CS9, DM3 and the Employment Skills and Training SPD (2013).
- 1.3 The applicant appealed against this decision to the Planning Inspectorate and an Informal Hearing was held 19th and 20th November 2019.

2 SUMMARY OF DECISION

- 2.1 The Inspector accepted that the reasons relating to loss of protected trees (reason 5), and the lack of contributions towards affordable housing and skills and training (reasons 8 and 9) had been overcome and that the four main issues remaining for the appeal were:
- The effect of the proposed development on the character and appearance of the surrounding area, with particular regard to the potential loss of open space; the indicative scale, design and layout of the proposed development in relation to the surrounding streets and buildings; and the street scene in Kirton Close;
 - The effect of the proposal on the living conditions of occupiers of neighbouring properties, with particular regard to privacy, outlook and disturbance;
 - Whether the proposal would provide acceptable living conditions for future occupiers of the development, with particular regard to outlook, daylight/sunlight and private outdoor amenity space; and
 - The effect of the proposed development on highway safety.
- 2.2 In terms of loss of open space and whether or not the site was classed as 'Previously Developed Land', the Inspector considered that, notwithstanding the embankment along the north boundary (last remaining evidence of the former quarry use) that as there were no actual structures remaining associated with the previous use, the open space and amenity land does not comprise 'Previously Developed Land'.

- 2.3 Further to the above, the Inspector placed considerable emphasis on the space as informal recreational use for local residents, having previously provided - and with the potential to provide - a valuable area of attractive visual amenity. The Inspector also considered that the openness of the site itself above the fencing and the backdrop of mature trees made an important contribution to the character of the area.
- 2.4 In terms of character and appearance, and linked to the above openness of the site, the Inspector concluded that given the indicative scale of the development proposed, this loss of openness and space would be harmful to the character of the surrounding area. Furthermore, that whilst an outline application and the drawings were indicative, the quantum of development likely required to facilitate the 14 units proposed (3 storey) would create a visually dominant and overbearing building form out of keeping with and harmful to the character and scale of the wider area (2 storey and bungalows).
- 2.5 In terms of the demolition of No.16 Kirton Close, the Inspector considered that, given its position at the head of the cul-de-sac, creating a unique sense of enclosure, coupled with its distinctive design and small scale character and appearance, its removal would result in an unacceptable loss of continuity of the architecture and intimate character of the cul-de-sac.
- 2.6 The Inspector therefore concluded that “the proposed development would cause and unacceptable degree of harm to the character and appearance of the surrounding area conflicting with Policies EN8 and CC7 of the Reading Borough Local Plan”.
- 2.7 In relation to living conditions of neighbouring properties, the Inspector considered that, given the closeness, position and orientation of potential windows in the proposed development this would result in overlooking of No.12 Verney Mews. Furthermore, given the height of the proposed development, it would also result in an overbearing impact on the outlook to No.12.
- 2.8 In relation to Thorpe House, the Inspector considered that the number of vehicle turning movements associated with the proposed development would result in unacceptable disturbance to the occupiers of Thorpe House, and compared to the current traffic free environment that currently exists.
- 2.9 The Inspector did not consider there to be any unacceptable impact on No’s 15 or 17 Kirton Close.
- 2.10 The Inspector therefore concluded that “the proposed development would cause unacceptable harm to the living conditions of occupiers of 12 Verney Mews, with regard to loss of privacy and an overbearing outlook, and for the occupiers of Thorpe House with regard to noise and disturbance...contrary to Policy CC8”
- 2.11 In relation to living conditions of future occupiers, the Inspector considered that, in respect of amenity space, that not only would the land proposed for communal garden space harm the open space and public amenity value of the land (and as discussed above) but that much of the land itself would be overshadowed by trees and the proposed building, compromising its attractiveness, functionally, quantity and quality as outdoor space.
- 2.12 Further linked to the above, the Inspector also considered that given the limited depth of the amenity space to the rear, it would be hard to ensure privacy for ground floor units.
- 2.13 The Inspector therefore concluded that “the proposed development would cause unacceptable living conditions for future occupiers of the proposed development, in terms of its inadequate communal outdoor space...contrary to Policies CC8 and H10”
- 2.14 In terms of Highway Safety, whilst the Council’s original concerns were considered to have been overcome during appeal submissions, this was still considered as an issue by the

Inspector, given concerns expressed by local residents at the hearing. However, the Inspector was satisfied with the technical evidence provided and the views of the Highway Authority and concluded that there would not be any “unacceptable harm to highway safety or the operation of the road network complying with Policy TR3 of the Reading Borough Local Plan”.

- 2.15 The Inspector raised no concerns in respect of loss of protected trees (either due to poor condition or proposed replacement).
- 2.16 The Inspector recognised the benefits of the scheme (13 additional dwellings to the supply of housing in Reading, and financial contribution in substitution for provision of affordable housing units on site). However, the Inspector concluded that the number of limited units proposed, coupled with the current surplus in the housing land supply in the Borough, that the proposed housing contribution would not outweigh the harm it would cause to the character and appearance of the area and living conditions of both neighbouring and future occupants.
- 2.17 In overall terms the Inspector found that the harmful impacts of the scheme outweighed the benefits.

Head of Planning, Development & Regulatory Services Comment:

This appeal decision is very welcome given that the comments made by the Planning Inspector upholding the remaining reasons for refusal regarding the principle of developing this open space for residential use, protecting the character and appearance of the area and safeguarding the residential amenities of neighbours. The comments also pay tribute to and endorse the contributions that residents made with their submissions on the application, again against the appeal and attending the hearing.

Case officer: Ethne Humphreys

Appeal No: APP/E0345/W/18/3216027 and APP/E0345/Y/18/3216026

Planning Ref: 172205/FUL and 172206/LBC

Site: 18 Russell Street, Reading

Proposal: Erection of two-storey rear extension to accommodate a 1 bedroom flat

Decision level: Delegated decision on 23/05/18

Method: Written Representations

Decision: Appeals Dismissed

Date Determined: 19 December 2019

Inspector: Patrick Whelan

1. BACKGROUND

- 1.1 The appeal site comprises a mid-terrace Grade II listed building, located on the western side of Russell Street. It serves 4 one-bed flats over basement, ground, first and second floor levels. The site is located within the Russell Street/Castle Hill Conservation Area.
- 1.2 Two applications were received, an application for Full Planning Permission and associated application for Listed Building Consent. In May 2018 both applications were refused at officer level for the following reasons:

172205/FUL

1. The proposed development, due to its detailed design and appearance, would result in an incongruous and unsympathetic rear extension failing to integrate well with the host building and detrimental to the integrity and setting of the listed building within the conservation area. The development would fail to preserve or enhance the special architectural character and appearance of these heritage assets. This would be contrary to Policies CS7 (Design and the Public Realm) and CS33 (Protection and Enhancement of the Historic Environment) of the Core Strategy 2008 (altered 2015), Policy DM9 (House Extensions and Ancillary Accommodation) of the Sites and Detailed Policies Document 2012 (altered 2015) and the National Planning Policy Framework 2012.
2. The proposed development, due to its proximity, depth and height, is considered to result in a detrimental impact to the living environment of both the ground and first floor flats of the existing building in terms of dominance and overbearing impact. This would be contrary to Policy DM4 (Safeguarding Amenity) of the Sites and Detailed Policies Document 2012 (altered 2015), the Council's Supplementary Planning Guidance - A Design Guide to House Extensions (2003) and the National Planning Policy Framework 2012.
3. The proposed development is considered to provide an unacceptable standard of accommodation due to its unsatisfactory internal space, resulting in a cramped appearance, which, combined with poor light levels will adversely impact upon the level of amenity and quality of living accommodation which future occupants should reasonably expect to enjoy. This would be contrary to Policy DM4 (Safeguarding Amenity) of the Sites and Detailed Policies Document 2012 (altered 2015) and the National Planning Policy Framework 2012.
4. In the absence of a completed legal agreement to secure an acceptable contribution towards the provision of Affordable Housing, the proposal fails to contribute adequately to the housing needs of Reading Borough, contrary to Policy DM6 (Affordable Housing) of the Sites and Detailed Policies Document 2012 (altered 2015) and the Council's Adopted Affordable Housing Supplementary Planning Document 2013.

1. The proposed development, due to its detailed design and appearance, would result in an incongruous and unsympathetic rear extension failing to integrate well with the host building and detrimental to the integrity and setting of the listed building within the conservation area. The development would fail to preserve or enhance the special architectural character and appearance of these heritage assets. This would be contrary to Policy CS33 (Protection and Enhancement of the Historic Environment) of the Core Strategy 2008 (altered 2015) and the National Planning Policy Framework 2012.

2 SUMMARY OF DECISION

2.1 The Inspector accepted that the main issues of the appeal were:

- Whether the proposal would preserve the grade II listed building and any of the features of special architectural or historic interest that it possesses;
- Whether the proposal would preserve or enhance the character or appearance of the Russell Street/Castle Hill Conservation Area;
- Whether the proposal would harm the living conditions of surrounding occupiers with regard to outlook;
- Whether the proposal would provide acceptable living conditions for future occupiers in terms of the provision of internal living space and light; and,
- Whether the proposal would contribute to affordable housing in accordance with local and national planning policy

2.2 With regard to the special interest of the listed building, the Inspector considered this to be primarily associated with its origin as an early to mid C19 terrace of houses with surviving historic forms of fabric, together with the architectural character of the group.

2.3 In terms of the impact on the listed building, the Inspector considered that the proposed extension would be disproportionately wide and deep in relation to the rear elevation.

2.4 Further to the above, and with regard to special features, the Inspector considered that the extension would unacceptably mask the semi-circular stair window, thereby diminishing an attractive feature on the rear elevation and lessening its architectural integrity. Overall, the Inspector considered the extension to unbalance the rear elevation and in particular have a harmful effect to the architectural language of the building, intrinsic to its significance and thereby failing to preserve the special architectural and historic interest of the building.

2.4 In terms of the impact on the Conservation Area, the Inspector considered that, whilst views of the rear would be limited, that as the building itself contributes significantly to the overall architectural and historic interest of the Conservation Area, it is, therefore, also an important feature of the Conservation Area. Further to this, the Inspector considered that the extension would not preserve or enhance the appearance of the Conservation Area.

2.5 In terms of the living conditions of surrounding occupiers, the Inspector considered that due to the depth and height of the proposed extension, and with no alternative outlook available, this would severely reduce the outlook of the occupiers of the ground floor flat. The Inspector considered this to be the same unacceptable impact to the first floor flat. No harm was considered to arise to the basement flat.

2.6 The Inspector therefore concluded that the proposals would conflict with policy aimed to protect the living conditions of surrounding occupiers.

- 2.7 In terms of the living conditions of future occupiers, the Inspector considered that, whilst there would be sufficient daylight and sunlight serving the flat, the gross internal floor area would be so small and insufficient that it would result in a significant detrimental impact on the living environment of future occupiers.
- 2.8 The Inspector therefore concluded that “the proposals would provide unacceptable living conditions for future occupiers in terms of the provision of internal space”...contrary to policy.
- 2.9 In terms of affordable housing, the Inspector noted the unilateral undertaking submitted during the course of the appeal, which would secure £8.000 towards affordable housing. The Inspector was satisfied that whilst the Framework indicates that affordable housing should be sought for residential development that are not major developments, the Council’s evidence demonstrates that there is a need for a contribution on such schemes in Reading. More, that there was no evidence that the contribution would prevent this development. Further to this, although the appeal was ultimately dismissed, the Inspector was satisfied that the financial contribution would meet the necessary tests (para 56 of the Framework and Regulation 12 of the Community Infrastructure Regulations) and would contribute to affordable housing in accordance with local and national planning policy.
- 2.10 The Inspector recognised the benefits of the scheme (an additional dwelling would contribute to the supply of affordable housing and its associated economic benefits ie construction). However, the Inspector concluded that the benefits provided would not outweigh the harm to the listed building, coupled with the harm to the living conditions of surrounding and future occupiers.
- 2.11 In overall terms the Inspector found that the harmful impacts of the scheme outweighed the benefits.

Head of Planning, Development & Regulatory Services Comment:

This appeal decision is very welcome given the useful comments made by the Planning Inspector about preserving heritage in the Russell Street and Castle Hill Conservation Area at this time when this Conservation Area has been reappraised with the proposal to extend the boundary out to consultation.

Case officer: Ethne Humphreys

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READING BOROUGH COUNCIL
REPORT BY EXECUTIVE DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD
SERVICES

TO:	PLANNING APPLICATIONS COMMITTEE		
DATE:	15 January 2020		
TITLE:	APPLICATIONS FOR PRIOR APPROVAL		
AUTHOR:	Julie Williams & Richard Eatough		
JOB TITLE:	PLANNING MANAGER (acting) & Team Leader	E-MAIL:	Julie.williams@reading.gov.uk Richard.eatough@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To advise Committee of new applications and decisions relating to applications for prior-approval under the Town and Country Planning (General Permitted Development) Order (GPDO 2015) as amended.

2. RECOMMENDED ACTION

- 2.1 That you note the report.

3. BACKGROUND

- 3.1 At your meeting on 29 May 2013 a report was presented which introduced new permitted development rights and additional requirements for prior approval from the local planning authority for certain categories of permitted development. It was agreed then that a report be brought to future meetings for information and to include details of applications received for prior approval, those pending a decision and those applications which have been decided since the last Committee date.

4 TYPES OF PRIOR APPROVAL APPLICATIONS

- 4.1 The categories of development requiring prior approval under the Town and Country Planning (General Permitted Development)(England) Order 2015, or amended by the Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2016 that are of most relevance to Reading Borough are summarised as follows:

- **Householder development - single storey rear extensions.** GPDO Part 1, Class A1(g-k).
- **Change of use from A1 shops or A2 financial & professional, betting office, pay day loan shop or casino to A3 restaurants and cafes.** GPDO Part 3 Class C.
- **Change of use from A1 shops or A2 financial & professional, betting office or pay day loan shop to Class D2 assembly & leisure.** GPDO Part 3 Class J.
- **Change of use from A1 shops or A2 financial and professional or a mixed use of A1 or A2 with dwellinghouse to Class C3 dwellinghouse.** GPDO Part 3 Class M*
- **Change of use from an amusement arcade or a casino to C3 dwellinghouse & necessary works.** GPDO Part 3 Class N
- **Change of use from B1 office to C3 dwellinghouse** GPDO Part 3, Class O*.

- Change of use from B8 storage or distribution to C3 dwellinghouse GPDO Part 3, Class P
- Change of use from B1(c) light industrial use to C3 dwellinghouse GPDO Part 3, Class PA*
- Change of use from agricultural buildings and land to Class C3 dwellinghouses and building operations reasonably necessary to convert the building to the C3 use. GPDO Part 3 Class Q.
- Change of use of 150 sq m or more of an agricultural building (and any land within its curtilage) to flexible use within classes A1, A2, A3, B1, B8, C1 and D2. GPDO Part 3 Class R.
- Change of use from Agricultural buildings and land to state funded school or registered nursery D1. GPDO Part 3 Class S.
- Change of use from B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential institutions and D2 (assembly and leisure) to state funded school D1. GPDO Part 3 Class T.
- Temporary use of buildings for film making for up to 9 months in any 27 month period. GPDO Part 4 Class E
- Development under local or private Acts and Orders (e.g. Railways Clauses Consolidation Act 1845). GPDO Part 18.
- Development by telecommunications code system operators. GPDO Part 16.
- Demolition of buildings. GPDO Part 11.

4.2 Those applications for Prior Approval received and yet to be decided are set out in the appended Table 1 and those applications which have been decided are set out in the appended Table 2. The applications are grouped by type of prior approval application. Information on what the estimated equivalent planning application fees would be is provided.

4.3 It should be borne in mind that the planning considerations to be taken into account in deciding each of these types of application are specified in more detail in the GDPO. In some cases the LPA will first need to confirm whether or not prior approval is required before going on to decide the application on its planning merits where prior approval is required.

4.4 Details of any appeals on prior-approval decision will be included elsewhere in the agenda.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 Changes of use brought about through the prior approval process are beyond the control or influence of the Council's adopted policies and Supplementary Planning Documents. Therefore it is not possible to confirm how or if these schemes will contribute to the strategic aims of the Council.

6. COMMUNITY ENGAGEMENT AND INFORMATION

6.1 Statutory consultation takes place in connection with applications for prior-approval as specified in the Order discussed above.

7 EQUALITY IMPACT ASSESSMENT

7.1 Where appropriate the Council must have regard to its duties under the Equality Act 2010, Section 149, to have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 There are no direct implications arising from the proposals.

8. LEGAL IMPLICATIONS

8.1 None arising from this Report.

9. FINANCIAL IMPLICATIONS

9.1 Since the additional prior notifications were introduced in May 2013 in place of applications for full planning permission, the loss in fee income is estimated to be £1,228,184.

(Office Prior Approvals - £1,114,373: Householder Prior Approvals - £74,402: Retail Prior Approvals - £10,696: Demolition Prior Approval - £2135: Storage Prior Approvals - £5716: Shop to Restaurant Prior Approval - £3940: Shop to Leisure Prior Approval - £305: Light Industrial to Residential - £16,518)

Figures since last report

Office Prior Approvals - £0: Householder Prior Approvals - £330

9.2 However it should be borne in mind that the prior notification application assessment process is simpler than would have been the case for full planning permission and the cost to the Council of determining applications for prior approval is therefore proportionately lower. It should also be noted that the fee for full planning applications varies by type and scale of development and does not necessarily equate to the cost of determining them.

10. BACKGROUND PAPERS

The Town and Country Planning (General Permitted Development) (England) Order 2015

Town and Country Planning (General Permitted Development)(England)(Amendment) Order 2016.

Table 1 - Prior-approval applications pending @ 2nd January 2020

Application type CLASS A - Householder

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Householder Prior Approval - Class A, Part 1 GPDO 2015	191935	45 Lorne Street, Reading, RG1 7YW	Battle	Rear extension measuring 4.4m in depth, with a maximum height of 3m and 2.8m in height to eaves level.	02/12/2019	20/01/2020		£110
Householder Prior Approval - Class A, Part 1 GPDO 2015	191880	63 Blenheim Road, Reading, RG1 5NG	Redlands	Rear extension measuring 6.0m in depth, with a maximum height of 3.15m, and 3.0m in height to eaves level.	26/11/2019	08/01/2020		£110
Householder Prior Approval - Class A, Part 1 GPDO 2015	191910	76 Blenheim Road, Reading, RG1 5NQ	Redlands	Rear extensions measuring 3.19m and 5.97m in depth, with a maximum height of 3.35m, and 2.65m in height to eaves level.	02/12/2019	14/01/2020		£110

Light Industrial to Residential pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Prior Notification	191787	Onc House, 68 St Johns Road, Caversham, Reading, RG4 5AL	Caversham	Notification of Prior Approval for a Change of use of building from Class B1(c) (Light Industrial) to C3 (dwellinghouses) to comprise 6 x dwellings.	06/11/2019	15/01/2020		£2676
Prior Notification	191988	Onc House, 68 St Johns Road, Caversham, Reading, RG4 5AL	Caversham	Notification of Prior Approval for a Change of use of central building from Class B1(c) (Light Industrial) to C3 (dwellinghouses) to comprise 7 x dwellings.	16/12/2019	10/02/2020		£3138

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Telecommunications Prior Approval applications pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments
Telecommunications Notification - Prior Approval	190789	Land At Mere oak Busway, Basingstoke Road, Shinfield, Reading, RG7 1NR	Whitley	Installation of a 20m Monopole, supporting 6 no. antennas, 3 no. equipment cabinets and a meter cabinet and development ancillary thereto.	14/05/2019	09/07/2019	

Shop to Restaurant Prior Approval applications pending

Application type	Application reference number	Address	Ward	Proposal	Date Received	Target Determination Date	Comments	Equivalent planning application fee
Shop, Financial, Betting, Pay day, Casino to Restaurant/Cafe - Class C	191818	172 Oxford Road, Reading, RG1 7PL	Abbey	Notification of Prior Approval for a Change of Use from Retail, betting office of pay day loan shop or casino (Class A1 (shops) or Class A2 (financial and professional services) to restaurant or cafe (Class A3).	12/11/2019	14/01/2020		£366

Office to Residential Prior Approval applications pending - None

Retail Prior Approvals applications pending - None

Storage to Residential Prior Approval applications pending - None

Shop to Assembly & Leisure Prior Approval applications pending - None

Demolition Prior Approval applications pending - None

Prior Notification applications pending - None

Solar Equipment Prior Approval applications pending - None

Table 2 - Prior-approval applications decided 27 November 2019 to 2 January 2020

Application type CLASS A - Householder

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Householder Prior Approval - Class A, Part 1 GPDO 2015	191768	18 Hampden Road, Caversham, Reading, RG4 5ED	Caversham	Rear extension measuring 6m in depth, with a maximum height of 3.87m and 3m in height to eaves level.	04/11/2019	13/12/2019	Prior Approval NOT REQUIRED
Householder Prior Approval - Class A, Part 1 GPDO 2015	191774	18 Hampden Road, Caversham, Reading, RG4 5ED	Caversham	Rear extension measuring 3.8m in depth, with a maximum height of 3.34m and 2.8m in height to eaves level.	05/11/2019	17/12/2019	Prior Approval Notification - Approval
Householder Prior Approval - Class A, Part 1 GPDO 2015	191765	96 Dawlish Road, Reading, RG2 7SG	Whitley	Rear extension measuring 6.0m in depth, with a maximum height of 3.0m, and 2.4m in height to eaves level.	04/11/2019	12/12/2019	Application Permitted

Office to Residential Prior Approval applications decided

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Office use to dwelling house - Class O, Part 1 GPDO 2015	191646	16a Bridge Street, Caversham, Reading, RG4 8AA	Caversham	Change of use from Class B1(a) (offices) to C3 (dwelling houses) to comprise 2no. 2-bed flats.	11/10/2019	05/12/2019	Prior Approval Notification - Approval

Light Industrial to Residential applications decided

Application type	Application reference number	Address	Ward	Proposal	Date Received	Decision Date	Decision
Prior Notification	191782	Land to rear of 8 Prospect Street, Reading, RG1 7YG	Battle	Notification of Prior Approval for a Change Of Use from Light Industrial Use (Class B1(c) to Dwelling houses (Class C3). Comprising of converting part of building into 5 dwellings.	05/11/2019	23/12/2019	Prior Approval Notification - Approval

Telecommunications Prior Approval applications decided - None

Retail to Residential applications decided - None

Shop to Assembly & Leisure Prior Approval applications decided - None

Demolition Prior Approval applications decided - None

Shop to Restaurant Prior Approval applications decided - None

Solar Equipment Prior Approval applications decided - None

Prior Notification applications decided - None

COMMITTEE REPORT TEMPLATE

BY THE DIRECTOR OF ECONOMIC GROWTH & NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 15 January 2020

Ward: Abbey

App No.: 191144

Address: 49a-51a George Street, Reading, RG1 7NP

Proposal: Residential development for a total of six dwellings (net increase of 4 dwellings), comprising re-modelling of 49A and 51A George Street, two storey and single storey rear extensions, rear dormer windows and external alterations to form four apartments and demolition of existing warehouse and construction of two apartments.

Applicant: Mr Andrew Rosser

8-week target expiry: 30/09/2019 extension of time agreed to 30 January 2020

RECOMMENDATION:

Delegate to Head of Planning, Development and Regulatory Services to (i) GRANT full planning permission subject to completion of a section 106 legal agreement or (ii) to REFUSE permission should the legal agreement not be completed by the 30th January 2020 (unless the planning officer, on behalf of the Head of Planning, Development and Regulatory Services agrees to a later date for completion of the legal agreement). The legal agreement to secure the following:

- £18,000 toward the provision of affordable housing elsewhere within the Borough

And the following conditions to include:

1. Time Limit - 3 years
2. Approved plans
3. Pre-commencement details of all external materials (including brickwork, roofing, glazing, doors, guttering and downpipes)
4. Pre-commencement construction method statement (including noise & dust)
5. Pre-occupation provision of bin storage facility details
6. Pre-occupation implementation of cycle parking details provided
7. Pre-occupation notification of postal addresses (restricting parking permits)
8. No automatic entitlement to parking permits
9. Pre-commencement contaminated land - site characterisation
10. Pre-commencement contaminated land - submission of remediation scheme
11. Pre-construction contaminated land - implementation of approved remediation
12. Construction hours
13. Pre-commencement hard and soft landscaping details (including biodiversity enhancements) and implementation
14. Communal space management plan
15. Pre-commencement SAP assessment - To be approved (new-build)
16. Pre-occupation SAP assessment (new-build)
17. Pre-commencement BREEAM interim certificate 'Very Good' (Conversion)
18. Pre-occupation BREEAM final certificate 'Very Good' (Conversion)

Informatives:

1. Positive and Proactive Statement
2. Highways works
3. Terms and conditions
4. Building Control

5. Party Wall Act
6. Contaminated land - reporting of unexpected contamination
7. Noise Transmission between residential properties (Building Regulations part E)
8. CIL
9. No burning of waste on site
10. Unilateral Undertaking Legal Agreement

1. INTRODUCTION

- 1.1 The application site comprises a single storey former B8 storage building which is accessed via an archway, on the eastern side of George Street. The surrounding area is predominantly residential consisting of two storey terraced properties. The site is located within an air quality management area

Site Location Plan



2. PROPOSAL

- 2.1 The proposal includes two flat roof dormers, infilling of undercroft access, and single storey rear extension to no.s 49a-51a to facilitate their conversion to create 4 flats (1 x 2 bed and 3 x 1 bed) and demolition of the existing structure to allow a new detached single storey building to the rear of the site containing 2 flats (2 x 1 bed) . A central landscaped courtyard is proposed containing a mix of private and communal amenity space.
- 2.2 Submitted Plans and Documentation:
 Drawing No: SU-28 PL-05 Proposed site plan
 Drawing No: SU-28 PL-08 Proposed Sections
 Drawing No: SU-28 PL-07 Proposed Roof Plans
 Drawing No: SU-28 PL-10 Proposed drainage plan
 Drawing No: SU-28 PL-01 location plan
 Drawing No: SU-28 PL-06 proposed plans
 Drawing No: SU-28 PL-09 proposed elevations

Drawing No: SU-28 PL-02 Existing Site plan
Drawing No: SU-28 PL-03 Existing building plans
Drawing No: SU-28 PL-04 Existing building elevations and section
Drawing No: SU-28
Drawing No: SU-28
Planning Statement, Prepared by Freeths LLP
Phase I Geo-Environmental Site Assessment, Ref: 1CO107010/P1/R0
Design and Access Statement
Air Quality Assessment
CIL Forms
As received 12 July 2019

Drawing No: SU-28 PL-06 Proposed plans Rev B
Drawing No: SU-28 PL-09 Proposed elevations Rev B
Drawing No: SU-28 PL-08 Proposed elevations and sections Rev B
Drawing No: SU-28 PL-05 Proposed site plan Rev B
Drawing No: SU-28 PL-11 Block plan proposed Rev B
Drawing No: SU-28 PL-10 proposed drainage Rev B
Drawing No: SU-28 PL-07 proposed Roof plans Rev B
Drawing No: SU-28 PL-08 proposed elevations and sections Rev B
As Received 19 December 2019

- 2.3 Community Infrastructure levy (CIL):
In relation to the community infrastructure levy, the applicant has duly completed a CIL liability form with the submission. *Provide expected calculation/status*

3. PLANNING HISTORY

- 3.1 92/0429/DE: Use as a warehouse with ancillary office. Section 64 Determination issued 7/7/1992.
- 3.2 142000/UPA: Change of use of building from Class B1(a) (offices) to C3 (dwelling houses) to comprise 1 x 2-bed flats and 2 x 2-bed flats - Prior Approval Refused on the basis that it has not been proven that on the balance of probability that the existing use of the whole building was Class B1 (a) (offices) immediately before 30th May 2013. The proposal therefore does not meet the Permitted Development criteria as stated under Class J (b), Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) - Refused.
- 3.3 151090/UPA - Change of use from B8 (storage unit) to C3 dwellinghouses to comprise 2 x 1 bed & 1 x 2 bed flats. Prior Notification under Class P, Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order - Granted.
- 3.4 160517/FUL - Demolition of the former storage unit (B8) and erection of two storey building containing 4 x 2 bed (C3) dwellings, including parking and landscaping - Refused.
- 3.5 180252/PREAPP - Creation of 7 dwellings in total through a mix of new build and extension to the current residential properties 49a-51a George Street Reading RG1 7NP
- 3.6 191684/CLP - Rear dormer window at 51A George Street APPROVED

3.7 191985/CLP - Rear dormer window at 49A George Street APPROVED

4. CONSULTATIONS

Internal

4.1 Ecology - The current building is unlikely to contain suitable habitat for roosting bats. As such, since bats (and other protected species) are unlikely to be affected by the proposals, there are no objections to this application on ecological grounds. A condition is recommended (to be included in the landscaping conditions) to ensure appropriate wildlife friendly landscaping is incorporated into the scheme.

4.2 Waste - The proposed development would provide adequate bin store for the number of flats. Residents would be responsible for moving the bins out for collection days.

4.3 Environmental protection (Trees) officer - Conditions to ensure appropriate remediation of the site to improve soil quality to facilitate landscaping will be required. In addition, details of landscaping and a management scheme are recommended.

4.4 Environmental protection officers - Conditions are recommended to ensure appropriate mitigation for: noise transmission between dwellings, air quality impacts, contaminated land and remediation, construction and demolition, bin storage.

4.5 Public

189 Great Knollys Street, Reading, Berkshire, RG1 7HA

45 George Street, Reading, Berkshire, RG1 7NP

187 Great Knollys Street, Reading, Berkshire, RG1 7HA

191 Great Knollys Street, Reading, Berkshire, RG1 7HA

193 Great Knollys Street, Reading, Berkshire, RG1 7HA

195 Great Knollys Street, Reading

1b Cambridge Street, Reading, RG1 7PA

1a Cambridge Street, Reading, RG1 7PA

181 Great Knollys Street, Reading, RG1 7HA

10 Stanley Street, Reading, RG1 7NY

4.6 One comment has been received in support of the application.

5. RELEVANT PLANNING POLICY AND GUIDANCE

5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy Framework (NPPF) which states at Paragraph 11 "Plans and decisions should apply a presumption in favour of sustainable development".

5.2 For this Local Planning Authority the development plan is now in one document - the Reading Borough Local Plan (November 2019), which fully replaces the Core Strategy, the Sites and Detailed Policies Document and the Reading Central Area Action Plan. The relevant policies are:

CC1	Presumption in favour of sustainable development
CC2	Sustainable design and construction
CC3	Adaptation to climate change
CC5	Waste minimisation and storage
CC6	Accessibility and the intensity of development
CC7	Design and the public realm
CC8	Safeguarding amenity
EN9	Provision of open space
EN12	Biodiversity and the green network
EN14	Trees, hedges and woodlands
EN15	Air quality
EN16	Pollution and water resources
EM3	Loss of employment land
H1	Provision of housing
H2	Density and mix
H3	Affordable housing
H5	Standards for new housing
H8	Residential conversions
H9	House extensions and ancillary accommodation
H10	Private and communal outdoor space
TR1	Achieving the transport strategy
TR3	Access, traffic and highway related matters
TR5	Car and cycle parking and electric vehicle charging
CR2	Design in central Reading
CR3	Public realm in central Reading
CR6	Living in Central Reading

5.3 Relevant Supplementary Planning Documents (SPD) are:

Affordable Housing (2013)
 Design Guide to House Extensions (2003)
 Revised Parking Standards and Design (2011)
 Planning Obligations Under Section 106 (2015)
 Sustainable Design and Construction (2019)

6. APPRAISAL

The main matters to be considered are:

- Principle of development
- Design considerations and effect on character
- Impact on residential amenity
- Standard of Residential Accommodation
- Transport
- Landscape/ecology
- Affordable Housing
- Other Matters
- Equalities impact

Principle of development

6.1 The NPPF states that LPAs should “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value”.

- 6.2 Therefore, the priority for development should be on previously developed land and, particularly, vacant and derelict sites and buildings. There is no in principle objection to use for residential purposes. In accordance with Policy EM3 of the Reading Borough Local Plan (2019) the loss of the B8 storage use and use of employment land for alternate uses must be considered. The site is not located within a Core Employment Area. The site is surrounded by residential properties and has the potential, were it to revert to its previous use, of being a cause of disturbance to surrounding occupiers. Given these considerations there is no in principle objection to the proposed loss of employment land.
- 6.3 The accessibility of the site is considered acceptable for the proposed development (CC6 of the Reading Borough Local Plan (2019)) and the principle of C3 residential use would align with the broad objectives of policy H1, in assisting meeting the annual housing targets.
- 6.4 The Council has a Supplementary Planning Document which specifically relates to conversions. This stipulates that in order for residential dwellings to be suitable for conversion to flats they should be a minimum of 120m² or have a minimum of 4 bedrooms. In this instance the two existing dwellings individually would not have floor areas of more than 120m² or have 4 bedrooms. However, the proposal relates to both existing dwellings of which the combined floor space would exceed 120m². In addition the conversion of the two existing dwellings is part of a wider development including the land and large outbuilding. As such in this instance it is not considered that there would be an "in principle" objection to conversion of the existing two dwellings as part of a wider redevelopment of the site. However, this would be subject to other material policy and planning considerations as set out below.

Design Considerations and effect on character

- 6.5 Policy CC7 (Design and the Public Realm) and Policy CR (Design in Central Reading) seek to preserve or enhance the character of the area in which a development is located. Policy H9 (House Extensions and Ancillary Accommodation) seeks to ensure residential extensions respect the scale and character of the host and surrounding dwellings.
- 6.6 The existing single storey mono-pitch B8 storage flat roof building is of no particular architectural merit. The site, accessed by an existing under-croft from George Street, is enclosed by two storey terraced properties on all sides such that the existing single storey building is not visible from outside of the application site apart from these properties. There is no objection to the loss of the existing outbuilding structure.

Extensions and alterations to nos 49a-51a

- 6.7 The proposal involves alterations to the existing terraced dwellings. The proposed design includes enclosing the undercroft between the existing dwellings to create a bin storage area and secure access to the rear dwellings. The proposal would also introduce three roof lights to the frontage of the dwellings and would include a part single-storey, part two-storey rear extension. The two-storey portion to the development would be in the centre of the dwellings and provide only for a staircase to access the flats at first floor.
- 6.8 There is evidence of significant single storey rear extensions to properties within the terrace including the two properties which directly adjoin the

application site. The proposed development includes a 3.7m deep single storey rear extension between the existing single storey rear extensions to each dwelling. The plans also include a first-floor rear extension of 2.8m located at the centre of the two dwellings. The single storey rear extension is considered appropriate in this instance. The proposed central first floor rear extension above the proposed ground floor extension would be located at the centre of the two dwellings, and appropriately separated from adjoining properties to ensure there is no adverse impact in terms of overbearing nature, loss of light or outlook to adjoining properties and is therefore considered acceptable.

- 6.9 The proposed development includes two flat roof dormers which would fill the majority of the rear roof slope. This results in the loss of the majority of the pitched roof form of the rear roof slope and is considered a significant overdevelopment of this space harmful and out of keeping with the character of the property and would not be acceptable. Notwithstanding this, the applicant has stated that the proposed flat roof dormers would fall within their current permitted development rights. As is generally accepted by the Planning Inspectorate at appeal, the permitted development rights must not be purely hypothetical and thus could not be considered unless the applicant has shown a clear and reasonable intention to make use of these rights. In this instance, the applicant has sought a certificate of lawfulness for the proposed dormer windows over the existing dwellings (application references 191684 and 191685 above). As such, it is considered that the applicant would have a realistic fall-back position in this regard to allow the creation of the dormers in a similar arrangement to that of the current proposal. As such, it is not considered that a reason for refusal based on this concern would be defensible at appeal in this instance, subject to the development being acceptable in all other regards.
- 6.10 The proposed development also includes the addition of 3 no. roof lights within the front elevation. There are a number of rooflights and other frontage alterations within the immediate vicinity of the site, and the reduction from the 6 (as originally proposed) would not create an unduly convoluted or harmful appearance as viewed from the street. As such, the proposal would be acceptable in this regard
- 6.11 The proposed development will enclose the existing vehicle access between the two dwellings with a recessed timber door which would resemble an original doorway. The proposal includes a timber doorway to be separated to allow for the accesses and services.
- 6.12 This will result in a redundancy of the dropped kerb in front of the property. Highways officers have recommended the redundant access be re-instated as footpath. Notwithstanding this, the retention of the mostly cobbled access driveway, in tandem with the substantive retention of the arched vehicle access (although not a functional retention) would speak to the historical development of the area and retain an interesting feature in the footpath. As such, no condition is recommended to re-instate the footpath in this instance.
- 6.13 In conclusion the alterations and the scale and extent of proposed extensions to the existing terraced properties are, on balance, considered acceptable in regard to Policy CC7, CR2 and H11.

New Building to Rear of the Site

- 6.14 The proposed single storey detached building would be located at the rear of the site directly on the boundary with the rear gardens of the surrounding properties on Stanley Street to the South and Great Knollys Street to the North. The siting of this building is such that it would not be visible from the street-but would be readily visible from the rear of surrounding properties and their gardens.
- 6.15 Given the presence of the existing outbuilding on a much larger footprint its replacement with a smaller building is considered to be an improvement to the appearance of this part of the site as viewed from adjoining properties. The proposed replacement building is not materially greater in height/massing than the existing structure and would remove the clutter of structures in this part of the site. As such, the proposed building would not have a harmful impact on the outlook for neighbours to the rear and it would improve the appearance of the site for many as viewed from adjoining properties.

Amenity Space/Courtyard Area

- 6.16 Policy H10 seeks that residential proposals are served by appropriate levels of private or communal amenity space. The policy acknowledges that flats in central Reading will not require the same amount of outdoor space as houses in other parts of the Borough.
- 6.17 The need to provide access to the building to the rear of the site through the George Street properties creates a limited opportunity for the arrangement of amenity space for the dwellings/flats to the front. The defensible planting to the ground floor windows facing the courtyard area of both buildings would result in a cohesive amenity space arrangement. Although the 2-bedroom flat as proposed would not be served by private amenity space it is considered, within the context of the application and comprehensive development of the site, that this shortfall would be acceptable in this instance.
- 6.18 By virtue of the separation of the two aspects of the development (the detached rear building, and the two terraced properties) it is important to note that the permission may be part-implemented initially (by way of demolition of the rear building and its replacement structure. Although the introduction of the rear dwellings would not be incompatible with the existing dwellings, the early provision of services and amenity space is important. It is proposed that a condition be attached to the permission, that requires the provision of all shared services (bins and bicycle storage, and the rear amenity space) and associated landscaping prior to first occupation of the development.

Impact on residential amenity

- 6.19 Policy CC8 seeks to protect the amenity of surrounding occupiers whilst Policy EN16 seeks to ensure development is not harmful in terms of pollution.
- 6.20 It is considered that the bulk and mass of the proposed extensions (3.7m at ground floor, and 2.8m at first floor) would not result in an overbearing structure when seen from adjoining properties and would not be harmful to their residential amenity.
- 6.21 The proposed detached building to the rear of the site would be located on

the boundary with neighbouring properties. It is acknowledged that this is an existing situation and as set out above the replacement building in this location would not be materially greater in height or bulk/massing than the existing building and as such would not result in any further overbearing impact or result in a loss of daylight/sunlight reaching adjoining properties.

- 6.22 The single storey dwellings to the rear would not result in overlooking to residential properties to Stanley Street or Great Knollys Street properties.
- 6.23 The proposed single storey building to the rear of the site would have the potential to be overlooked by adjoining first floor windows. In this instance, the proposed development would be particularly visible from first floor windows of no's 32, 30, 28, 20 and 18 Stanley Street. The windows would be located ~8.8m from the boundary of the proposed dwellings. As shown on the plan below, the window positions on adjoining buildings have been plotted against the window positions of the proposed dwellings. The view from the first floor window of no. 32 would be obscured by its own two storey rear extension and has been discounted. No's 28 and 30 would have direct but oblique views into the proposed dwellings dining/living rooms. The window positioning for the Southern dwelling has been amended to further minimise the potential for privacy impacts. The properties at no's 20 and 18 Stanley Street would have again, oblique views into the bedrooms of the proposed dwellings. It is therefore considered that due to the limited direct views into the proposed dwellings in the rear of the plot, that there would not be a sufficiently harmful level of overlooking to the proposed dwellings to warrant a reason for refusal in this regard.



Possible overlooking diagram



Figure 1 - Amended sight lines plan

6.24 All first floor dwellings would have the potential to overlook the amenity area of the proposed dwellings, and flats. This is a common relationship in this area and within high density town centre location, as such this is not considered to weigh against the proposal.

Standard of Residential Accommodation

6.25 Policy CC8 and CR6 of the Reading Borough Local Plan (2019) seek that new development should not cause a significant detrimental impact to the living environment of new residential properties.

6.26 The proposed units, both to the enlarged existing building and new building to the rear are considered adequate in terms of size. Those within the enlarged terraced properties are considered to be served by sufficient outlook and daylighting.

6.27 The levels of outlook and daylighting to the new detached building to the rear are considered to be sufficient. The two units which would be dual aspect would by virtue of their modest depth and inclusion of a number of roof lights would provide sufficient daylighting to each dwelling. The proposed dwellings would have an amount of outlook to the extent of the proposed screening to the front. The constraints of the site are acknowledged and would limit a traditional outlook to a street. The internal reconfiguration of these 2 units situates the living spaces to the front of the building closest to the primary outlook facing onto the shared amenity space. The bedrooms are located to the rear of the site and are provided with a small external amenity/drying space.

6.28 There are significant concerns regarding overlooking and loss of privacy to the proposed amenity space and front windows of the new detached

building to the rear. Some of the first floor rear windows of the Stanley Street properties are located as close as 6m to the boundary with the pre-application site. This would allow for clear and direct views to the amenity space and windows which is considered to result in unacceptable overlooking and levels of privacy, contrary to Policy DM4. This and the constrained nature of the site represents a very significant constraint to the proposed development and any additional detached building proposed to the rear of the site. Given these concerns and those outlined above regarding impact on the amenity of the Stanley Street properties themselves it is my opinion that a new residential building to rear of the site would be very unlikely to be considered acceptable.

- 6.29 The communal space proposed as part of the development would require management by the landowner as a management plan would be secured by condition.
- 6.30 A BS4142:2014 noise assessment of any mechanical plant proposed such as for ventilation purposes would need to be provided as part of an application to demonstrate that this would not result in any undue disturbance to the occupiers of neighbouring dwellings (Policy CS34).
- 6.31 The proposed development would comply with policy CC8.

Transport matters

- 6.32 The development, as proposed, is for a car-free development. The area is predominantly terraced properties, with limited off-street parking. The site is located within close proximity to the town centre, high frequency bus routes, and the Reading Central Station. The provision of a car-free development in this location is considered wholly appropriate and is in-line with the aspirations of the Council's climate emergency declaration.

Landscaping/Ecology

- 6.33 The site is currently vacant of vegetation and has compacted and likely depleted of nutrients by virtue of the historic development. A condition will be attached to the proposed to ensure that a detailed landscaping scheme is provided, as well as a methodology for the improvement of the soil quality to sustain substantive landscaping. The management of the communal areas will be the subject of a management plan to be submitted at a future date which is to be managed by the landholder.
- 6.34 The existing roofing, including the flat roofed B8 structure is unlikely to be suitable for roosting bats. As such, the proposed development would not have a negative effect in terms of ecology. The landscaping condition mentioned above shall also include a number of ecological enhancements to be included on the new build, the scheme will detail:
- Biodiversity enhancements, including integral bird nesting and bat roosting opportunities on and around the new buildings;
 - Specifications for fencing demonstrating how hedgehogs and other wildlife will be able to continue to travel across the site (e.g. fences slightly raised above ground level);

Affordable Housing

- 6.35 In accordance with Policy H3 (Affordable Housing) the proposed development, being for 4 additional dwellings units, would be liable for affordable housing. The minor extensions to the main dwelling will mean

that the conversions will not trigger an affordable housing contribution. However, the two dwellings to the rear will be affordable housing liable, and a financial contribution of £18,000, calculated using the formula set out in the SPD, is proposed. The figure has been confirmed by the Council's valuations team and has been agreed by the applicant.

Other Matters

CIL

- 6.36 The proposed development would result in the demolition of ~220m² and addition of ~120m². The B8 building to the rear is currently in use, and appears by the Council's records, to have been in use for at least 6-months of the last 3-years, as such the additional CIL charge would be wholly offset by the floor space to be demolished.

Sustainability

- 6.37 The proposed development would require two separate measures to address Policy CC1, and the Council's climate emergency declaration. The new build (to the rear) would be required to be built to the standards as outline in Policy H5 (water efficiency and energy reduction). Whereas the conversion would be required to meet the BREEAM standards as they relate to conversions, and conditions as outlined above are recommended in this regard.

Equalities Impact

- 6.38 When determining this application the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7. CONCLUSION

- 7.1 This proposal has been carefully considered in the context of the Reading Borough Local Plan 2019 and supplementary planning documents. The recommendation is shown above.

Case Officer: Mr Anthony Scholes

8. PLANS

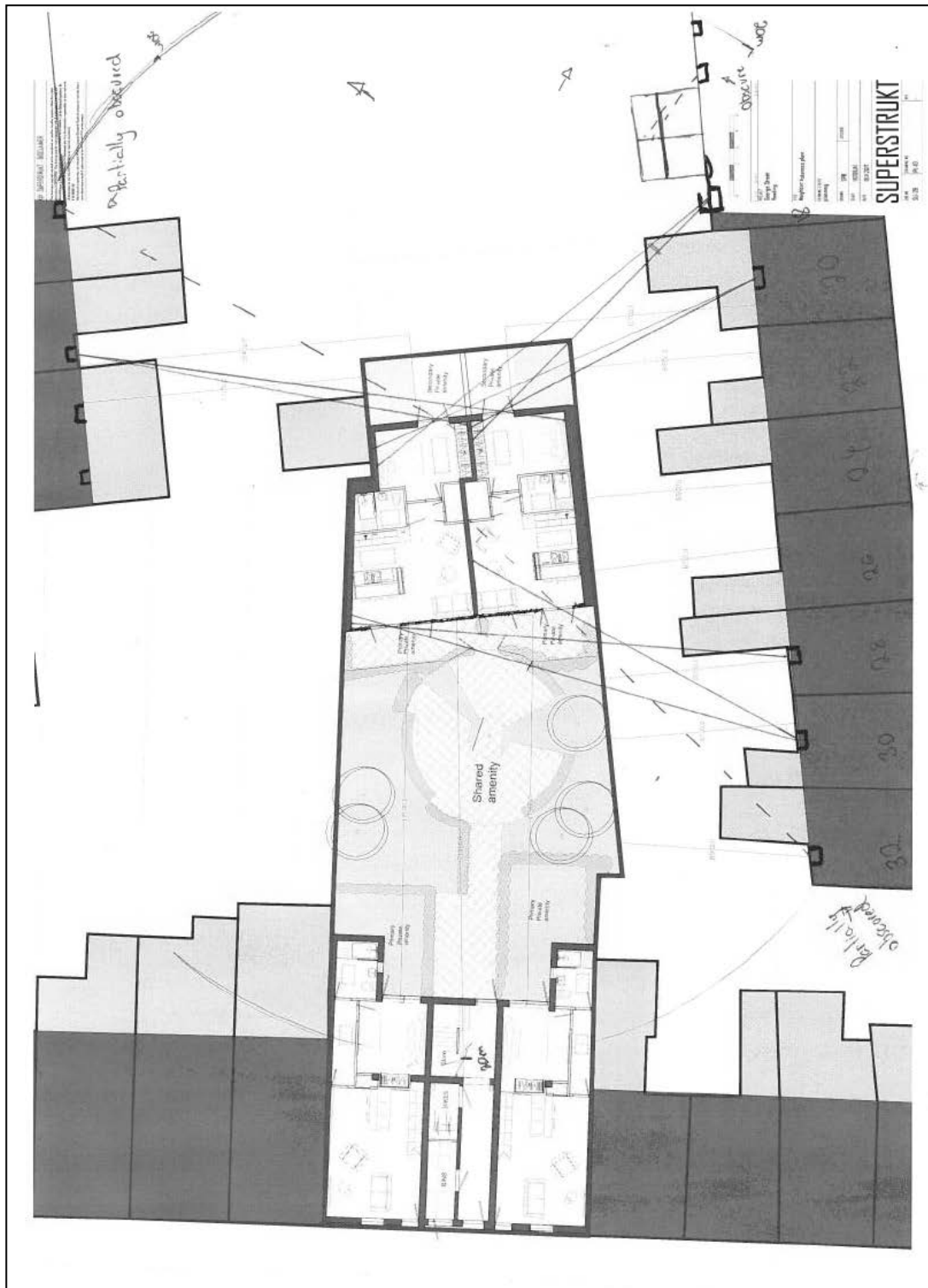
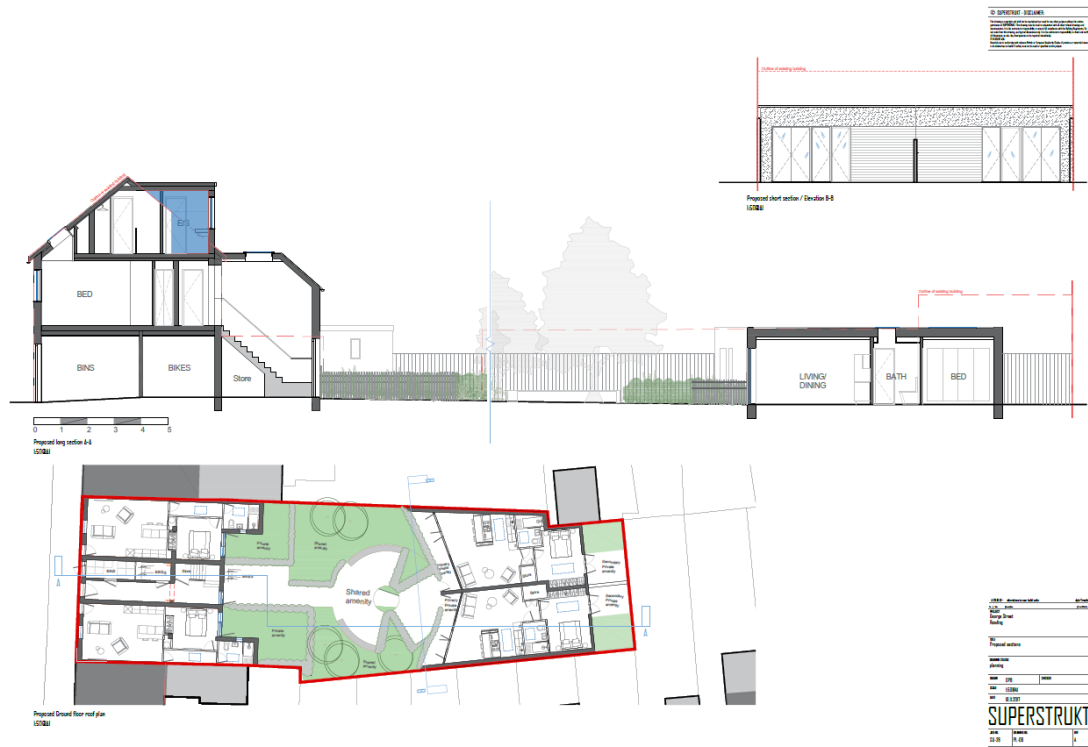


Figure 2 - Adjoining window position diagram (superseded plans)



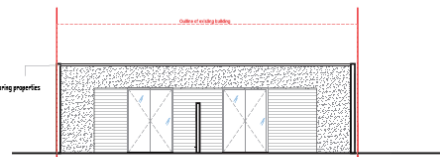


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Figure 6 - Proposed Floor Plans



Egg walls retained to restrict overloading from neighboring properties



Egg walls retained to restrict overloading from neighboring properties

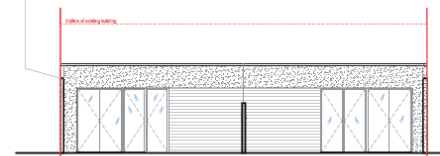


Figure 7 - Proposed Elevations

COMMITTEE REPORT

BY THE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 15th January 2020

Ward: Caversham

App No: 191383 and 191385

Address: 8 St Johns Road, Caversham, RG4 5AN

191383/VAR Proposal: Part-one, part-two storey side and rear extensions and associated alterations without complying with Condition 2 (approved plans) of Planning Permission 171850 regarding building footprint, roof form and external appearance (Retrospective)

191385/FUL Proposal: Change of use from a C4 HMO to a Sui Generis 7 bedroom HMO with parking and amenity space

Applicant: Date validated:

191383/VAR: 22/8/2019

191385 /FUL: 11/11/19

Application: 8 week target decision date:

191383/VAR: 17/10/2019

191385/FUL: 06/01/2020

Extension of time: To be agreed.

191383/ VAR - REFUSE for the following reasons:

1. The creation of the hard standing to park vehicles has required the removal of the front boundary wall and planting. Whilst other less prominent examples of hard standing exist in the street, and such work may be achieved without the need for planning permission, the majority of properties have maintained their front boundary wall and some planting. In contrast the complete introduction of hardstanding without any boundary or landscaping has eroded the pleasant domestic appearance of the house and character of the street. Therefore, the development is contrary to Policy CC7 Design and Public Realm and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019.
2. The Local Planning Authority has found that the single storey structure shown on the submitted plans (although not referred to in the applicant's description for the changes which retrospective approval is sought on the basis of their argument that it complies with Permitted Development criteria) does not form ancillary accommodation to the main dwelling as it is capable of operating as a separate dwelling and has been let as a separate unit to the main dwelling. Accordingly, this structure has been assessed and considered to be harmful overdevelopment by reducing the available amenity space for the dwelling and intensification of use of the site contrary to Policy CC7 Design and Public Realm, CC8 Safeguarding Amenity and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019.

Informatives:

1. Positive and proactive
2. Refused plans
3. Planning Enforcement

191385 / FUL - REFUSE for the following reasons:

1. The original property did not meet the established policy minimum size standard to

be considered acceptable for conversion to a sui generis HMO. The retrospective conversion of this small dwelling to a large House in Multiple Occupation has resulted in the loss of a family dwelling house which was suitable for continued single family occupation, which is contrary to Policy H8 Residential Conversions of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.

2. The retrospective change of use to a large HMO for 7 persons relies on the use of the structure built in the rear garden area as habitable accommodation for the 7th bedroom. The occupier of this unit does not have adequate access to shared facilities as these are located within the main dwelling. As such the standard of accommodation is unacceptable and therefore contrary to Policy H8 Residential Conversions of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.
3. The creation of the hard standing to park vehicles has required the removal of the front boundary wall and planting. Whilst other less prominent examples of hard standing exist in the street, and such work may be achieved without the need for planning permission, the majority of properties have maintained their front boundary wall and some planting. In contrast the introduction of hardstanding without any boundary or landscaping has eroded the domestic appearance of the house and harmed the character of the street. Therefore, the development is contrary to CC7 Design and Public Realm, H8 Residential Conversions and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.
4. The retrospective change of use to a sui generis HMO fails to provide adequate external space for existing and future occupants and is therefore contrary to policy CC7 Design and Public Realm, H8 Residential Conversions and the Council's Supplementary Planning Document - Residential Conversions 2013.
5. The retrospective change of use has resulted in harmful intensification of the site through use of the external amenity area and the creation of the external 7th bedroom. This is due to the rear garden of No 8 St Johns Road being adjacent to the private rear gardens and living accommodation of domestic properties on Montague Street and St Johns Road. The use as a sui generis HMO has had a significantly detrimental effect on the residential amenity of adjoining neighbours in terms of noise and disturbance contrary to Policy CC8 Safeguarding Amenity, H8 Residential Conversions and H9 House Extensions and Ancillary Accommodation of the Reading Local Plan 2019 and the Council's Supplementary Planning Document - Residential Conversions 2013.

Informatives:

1. Positive and proactive
2. Refused plans
3. Planning Enforcement

1. INTRODUCTION

- 1.1 The application property is a semi-detached, two storey, red brick property on the eastern side of St Johns Road, Caversham. The surrounding built up area is characterised by terraced units of a similar design and small semi-detached properties. There are also non-residential uses situated to the

south of the site at St Johns Church and Caversham Hall (including a toddler group). The site is also situated within Flood Zone 3.

- 1.2 The property prior to the current extensions being constructed was a 3 bed dwelling; that also had an attached triple garage set well back from the road frontage.
- 1.3 The parking arrangement on the rest of St John Road is shared and on-street due to the traditional terraced layout of the residential plots which do not include parking or garaging. Additionally, since the 2nd December 2019, the Council's Residential Permit Parking Scheme has been expanded to incorporate St Johns Road now meaning that only permit holders can park in the vicinity of the site.
- 1.4 Both applications are retrospective, in part, and seek to regularise 1) the physical form of the extensions as built and the erection of a single storey building to the rear; and 2) the change of use of the extended dwelling at 8 St Johns Road, (stated on the application form to be a C4 Small House in Multiply Occupation) and the single storey building to the rear to a Sui Generis 7 bed HMO (Large House in Multiply Occupation).
- 1.5 For clarity to ensure that the Use Classes being considered within this report are clearly defined please see Table 1 below:

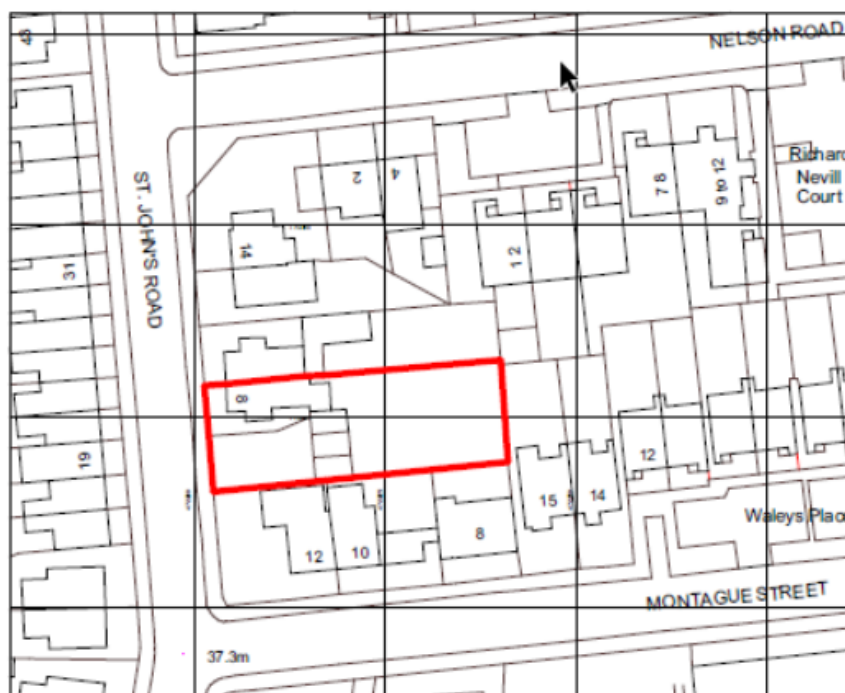
Table 1:

Use class as specified within the Use Class Order 2019	Definition	Permitted change of use
C3 (Dwellinghouses)	C3(a): Use by a single person or a family (a couple whether married or not, a person related to one another with members of the family of one of the couple to be treated as members of the family of the other), an employer and certain domestic employees (such as an au pair, nanny, nurse, governess, servant, chauffeur, gardener, secretary and personal assistant), a carer and the person receiving the care and a foster parent and foster child. C3(b): Up to six people living together as a single household and receiving care e.g. supported housing schemes such as those for people with learning disabilities or mental health problems. C3(c): groups of people (up to six) living together as a single household. This allows for those groupings that do not fall within the C4 HMO definition, but which fell within the previous C3 use class, to be provided for i.e. a small religious community may fall into this section as could a homeowner who is living with a lodger.	to C4

C4 HMO (Small Houses in Multiple Occupation)	Small shared houses occupied by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom.	to C3
Sui Generis Building	Buildings that do not fall within a particular use class (from the Latin meaning 'of its own kind') to include large HMO's	None

- 1.6 As set out above it should be noted that in this location (where no Article 4 Direction is in place to prohibit change of use from C3 to C4 use) planning permission is not required to convert a family dwelling (C3) into a C4 House in Multiple Occupation. Therefore, the use of the main property at 8 St Johns Road as a small C4 HMO with no more than 6 residents does not require separate planning permission.
- 1.7 Additionally, for further context, the definition of a House in Multiple Occupation (HMO) and the legislation that governs the authorisation of HMOs differs between the Planning Act - that governs the consideration of planning applications; and the Housing Act - that governs the consideration of licensing applications for HMO's.
- 1.8 The basic definition of an HMO in the Housing Act 2004 is a dwelling that is occupied by three or more tenants forming two or more households in which a basic amenity is shared (or is missing). A basic amenity is considered to be a toilet, bathroom or kitchen facilities. An HMO becomes licensable if there are five or more occupiers.
- 1.9 These applications have been called in to Planning Applications Committee by Ward Councillor's due to concerns raised by local community.

Location Plan - the site



2. RELEVANT PLANNING HISTORY

161109 - Side and rear extensions and replacement of existing garage. Permitted 12.8.2016. Not implemented.

162214 - Side and rear extensions and replacement of existing garage. Resubmission of planning application 161109. Permitted 19.1.2017. Not implemented.

171850 - Part-one, part-two storey side and rear extensions and associated Alterations. Permitted 31.1.2018. Works undertaken BUT not in accordance with the approved plans.

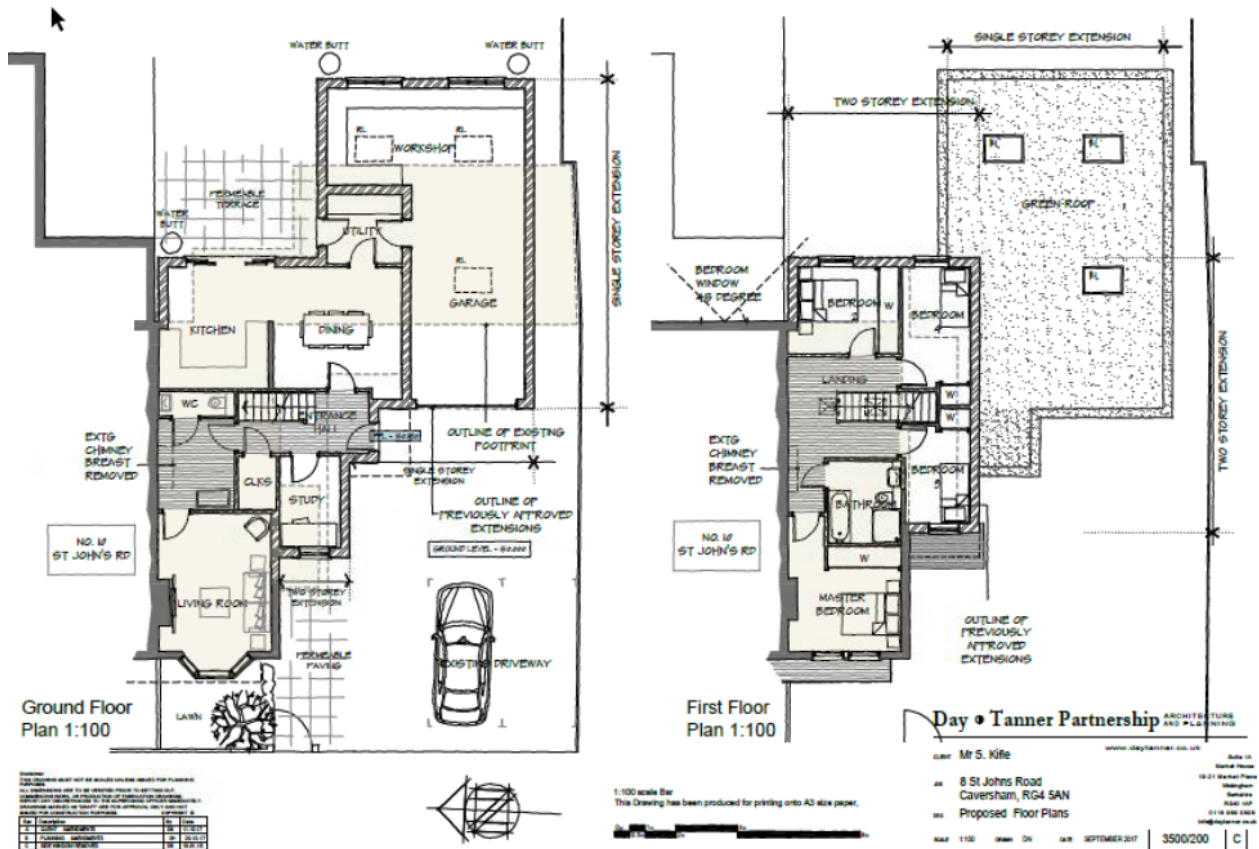
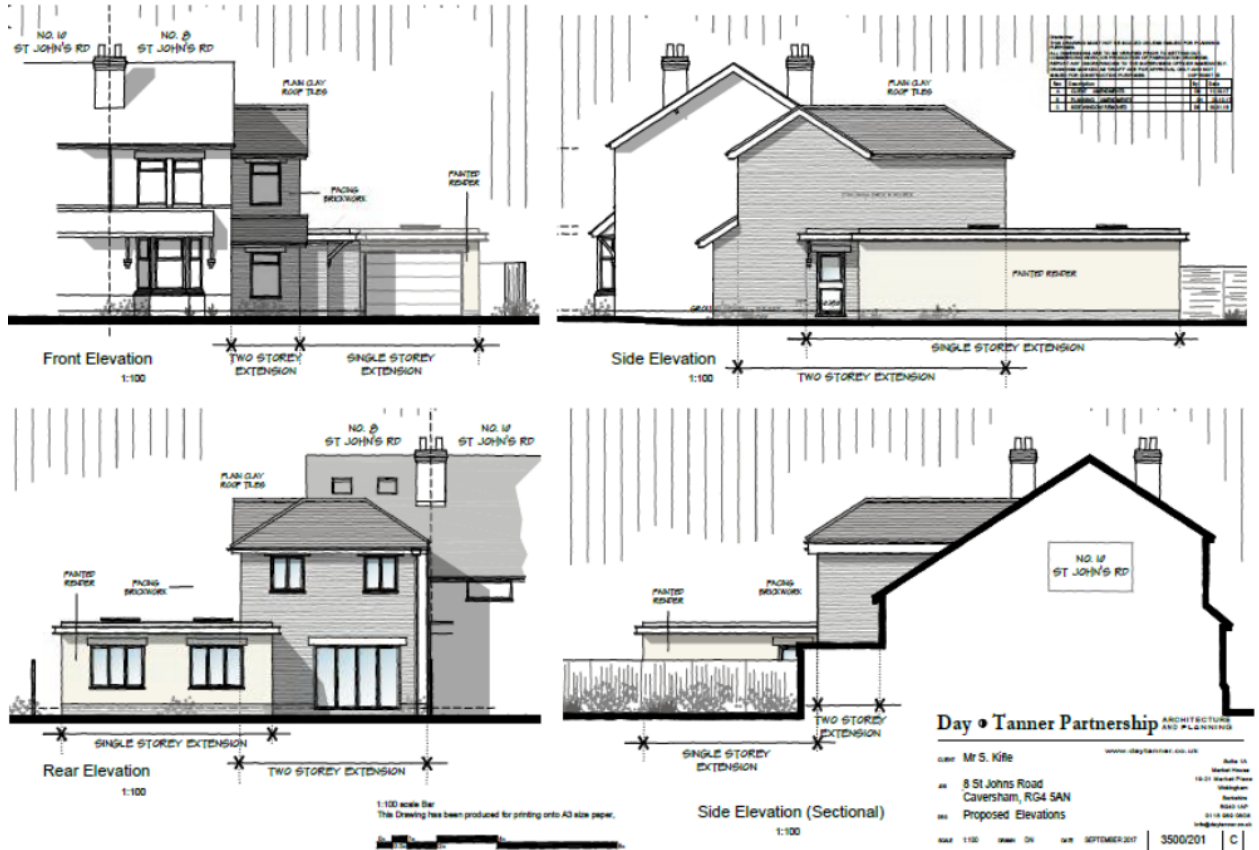
Block plan approved under permission 171850:



Block Plan as constructed and sought to be retained under ref 191385



Elevations and Floor Plans approved under permission 171850:



Other Non-Planning License applications associated to the property:

- Application for a 6 person HMO Licence for the main house - issued.
- Application for Drop kerb Licence - under consideration.

3. PROPOSAL AND SUPPORTING INFORMATION

191383/VAR

3.1 This application seeks the variation of Condition 2, which lists the approved plans, of planning permission 171850. As the building work has been completed this can be considered under Section 73A of the 1990 Planning Act.

3.2 Submitted Plans and Documentation

Location Plan	8779-19 PL-01Rev A
Block Plan	8779- 19 PL-02
Ground Floor	8779-19 PL-03
First Floor	8779-19 PL-04
Elevation Left and Right	8779-19 PL-08
Outbuilding (Roof/ground floor/section	8779-19 PL-05
Outbuilding (Elevations)	8779-19 PL-06
Elevation Front and rear	8779-19 PL-07
Flood Risk Assessment	

3.3 The property as built is different from the approved plans as follows:

- The ground floor building footprint has been increased due to the front elevation projecting 2m further forward than approved; and the rear extension has been increased 1m in width. This is an overall increase in floor area of approximately 20 sqm.
- The roof form of the single storey side extension has been altered from a flat 'green roof' to a grey slate tile pitched roof on the front section.
- To the rear the roof form of the two storey rear extension has been altered from a hipped roof to a grey slate tile pitched roof.
- The internal layout of the dwelling has been altered to delete the garage and workshop within the single storey side extension, to provide a communal kitchen and living room to the rear with a bedroom to the front; the remainder of the internal layout has been altered to accommodate 6 en-suite bedrooms. The alterations of room types do not require planning permission (subject to containing a maximum of 6 persons) however these changes have resulted in external alterations that do require permission:
- These include on the front elevation the relocation of the single 'front door' from the side elevation to within the former garage and the insertion of a bay window within this element to create a bedroom.
- The parking layout has been altered from an internal garage and one on-site parking space to 3 off road surface level parking spaces on the site frontage.

3.4 The plans submitted for consideration also illustrate a single storey building erected in the rear garden. The building is 48m sqm in area and contains

an open plan lounge with some food preparation facilities, a separate bedroom and a shower room. This unit has a front door and can be accessed separately to the main dwelling via a side gate and path adjacent to the side elevation of the main dwelling.

- 3.5 The applicant has annotated the drawing to indicate that this building has been built under 'Householder' permitted development rights as an 'outbuilding'. The General Permitted Development Order (GPDO 1995) at Schedule 2, Part 1 'Development within the curtilage of a dwellinghouse' only allows outbuildings by virtue of Class E for 'buildings etc incidental to the enjoyment of a dwellinghouse'. This is discussed in more detail in the Appraisal section below.

191385/ FUL

- 3.6 Change of use from a C4 HMO to a Sui Generis 7 bedroom HMO with parking and amenity space. This proposal seeks to convert the main house and building in the rear garden from a C4 HMO (6 persons HMO) to a Sui Generis Large HMO to house 7 persons. The layout of the building as built contains at ground floor a shared hallway, a communal kitchen/dining room with door to the rear; and bedrooms 1, 2 and 3 containing double beds and an en-suite. Accessed from the main stairwell at first floor there are a further 3 bedrooms (4, 5 and 6) each with an en-suite.

- 3.7 Externally to the rear the site contains an amenity area and the single storey structure indicated to form the 7th bedroom for the large HMO sought. The rear amenity area is laid with artificial grass and is also shown to contain cycle storage, the existing single storey structure is also sub - divided within the site by timber fencing. Proposed to the front of the property are 3 on-site parking spaces and refuse storage on an area of herring bone paving that covers the entire frontage of the site.

- 3.8 Submitted Plans and Documentation:

Location Plan	8779-19 PL-01Rev A
Block Plan	8779- 19 PL-02
Ground Floor	8779-19 PL-03
First Floor	8779-19 PL-04
Elevation Left and Right	8779-19 PL-08
Outbuilding (Roof/ground floor/section	8779-19 PL-05
Outbuilding (Elevations)	8779-19 PL-06
Elevation Front and rear	8779-19 PL-07
Proposed Site Plan	8779-19 PL-09 Rev A (to show bin store and cycle parking)

4. CONSULTATIONS

Application 191383

- 4.1 RBC Ecology - No objection.
- 4.2 RBC Transport - 3 parking spaces have been illustrated on the submitted block plan (PL-02) which replaces the 3 original garages; however, to be able to facilitate the proposed layout the existing access will need to be widened. This will require a license from the Highways Department and will need to be illustrated on revised plans.

Unauthorised parking can be controlled via the administration of the Residential Parking Permit Scheme that now operates on St Johns Road and the surrounding roads.

Application 191835

4.3 RBC Transport DC

The site is located within Zone 2, the primary core area but on the periphery of the central core area which lies at the heart of Reading Borough, consisting primarily of retail and commercial office developments with good transport hubs. The road mainly consists of residential terraced properties.

In accordance with the adopted Parking Standards and Design SPD, the development would be required to provide a parking provision of 0.25 spaces per lettable room, therefore equating to a total of 2 off road parking spaces. Submitted proposed site plan PL-09 Rev B illustrates 3 off road parking spaces; dimensions comply with the Council's current parking SPD however to facilitate the proposed parking layout the existing dropped crossing would need to be extended to the north (towards the dwelling). Any works undertaken on the public footway or carriageway will require a license form the Highways team. No part of a vehicle should overhang the public footway/highway.

It should be noted that the Council's Residential Permit Parking Scheme has been expanded and will incorporate St Johns Road. If this application is approved occupiers will not be entitled to a resident or visitor parking permit.

In accordance with the Council's Parking Standards and Design SPD, cycle per letting room in the form of a Sheffield type stand within a lockable store, therefore 4 spaces will need to be provided. A storage shed has been illustrated at the rear of the site. Sheffield type stands within the storage unit/shed would still be required to ensure accessibility and security. The stands should be set back a minimum of 500mm from the wall.

Bin storage has been illustrated on plans; bin storage should be located no further than 15m from the access point of the site to avoid the stationing of service vehicles on the carriageway for excessive periods. It is assumed that this will be the same as is for the existing dwelling and residents at neighbouring properties.

4.4 RBC Licensing or HMO Team - At present, the main part of the building is licensed under Part 2 of the Housing Act 2004 as a house in multiple occupation ("HMO") with a maximum permitted occupancy of six residents. At the time of licensing, the 'bungalow' at this address was considered a separate dwelling with its own entrance and is not covered by the existing licence.

As a general principle, housing officers do not consider it acceptable for residents to have to go outside to access kitchen facilities from their living accommodation. The reasons are the increased risk of food contamination, particularly in adverse weather. Such an arrangement would likely give rise to an actionable hazard under Part I of the Housing Act 2004,

- 4.5 Waste Disposal - The maximum capacity allowed is 1x360 litre general waste bin currently (this may change from October 2020 due to introduction of food waste). It is suggested they provide at least 2x240 recycling also.

A manager of an HMO is legally required to ensure that tenants have adequate storage facilities for their waste and that adequate provision is made for disposal of the waste. This means if any additional waste is produced by the occupiers then the manager of the HMO would need to remove the waste themselves (they must be a registered waste carrier. Alternatively, occupiers can take their waste to the Civic Amenity Site, however the duty to make adequate provision of waste disposal remains with the manager.

- 4.6 Environment Agency - To be updated at your meeting

Public Consultation:

- 4.7 Letters have been sent to adjoining properties for each application and a separate site notice was erected by officers on the telegraph pole in front of the property. Due to further information being sought in order to validate the change of use application (181385) each application had a separate consultation period.

- 4.8 A number of representations have been received in relation to each application (30 inclusive of a petition; and 12 respectively). It is noted by officers that many of the comments submitted by residents in relation to application 191383 for the variation of condition also refer to the impact of the change of use as these applications are linked.

- 4.9 The representations can be summarised as below:

191383

CADRA

What has been built is out of character with the area and results in a lack of amenity for neighbours, including parking problems. The separate residential building in the back garden is unacceptable.

Petition signed by 52 objectors : on the following grounds:

- The owner has breached conditions 2 and 6 of approved plans 171850
- The owner made no attempt to adhere to the approved plans which means there was a deliberate attempt to deceive the planning authority.

Officer note: Condition 2 refers to the 'Approved plans' and Condition 6 states "The extensions hereby approved shall only be used for purposes incidental to the residential use of the single family dwellinghouse at No.8 St Johns Road and shall not be used as a separate independent Class C3 dwelling or Class B1 business unit." The use of the main building as a C4 HMO does not constitute an independent class C3 dwelling or unit or B1 business use.

- The constructed development is for 6 units within a House of Multiple Occupation, representing a significant change to the character of the area and significant harm to amenity.
- The present application does not seek to regularise the breach of condition 6 in that it is not being used as a single residential dwelling. The Council's HMO register confirms 8 St Johns Road is registered for 6 occupants/6 households for a period of 5 years.

See officer note above.

- The garden building was constructed under permitted development as ancillary to the main building but is a separate residence in itself - an attempt by the property owner to introduce a separate dwelling by stealth.
- The drive affords insufficient parking spaces for the number of tenants residing in the property. This has caused additional parking issues in an already overcrowded road.

Further comments from individual objectors:

- The proposal is contrary to Reading Borough Council Policy H8: Residential Conversions due to the increase in noise and disturbance to neighbouring residents in particular from the communal outside patio/smoking area.
- Loss of single-family housing: There is already a house of multiple occupancy at number 12 Montague Road (on the corner of Montague Road and St Johns Road and next to number 8) another at number 17 St Johns Road and a house which has been converted into 2 flats at number 31. By allowing this Variation of Condition concerned that the associated change of use application is a fait accompli.
- Adequate Bin Storage : The refuse bins have been sited alongside the boundary at the front of the property as there is no dedicated storage area. The household refuse bin is often overflowing,
- The scale of the property is not consistent with neighbouring properties and is out of keeping with the character of the area contrary to policy H9 House Extensions and Ancillary Accommodation,
- The houses should be lived in by small groups or families, not by up to 14 people

Officer note- the HMO license for the main dwelling is for a maximum of 6 persons.

- Loss of Biodiversity : The development has resulted in a loss of biodiversity within the gardens due to use of artificial grass and the loss of trees and shrubs (contrary to policy H10 Private and Communal Outdoor Space)
- Concern re inadequate amount of useable outdoor space.
- Detrimental impact on air pollution and impact on quality of life.
- Late night noise levels / waste / etc will increase
- Parking on St. Johns Rd at present extremely challenging particularly for those with young children and the elderly, the amount of cars outside this property is extremely dangerous, the proposal to further drop the curb would remove 2 much-needed parking spaces for the existing residents on the street.

191385

CADRA

A 7-unit HMO is totally out of keeping with this area and will particularly exacerbate parking problems. We urge refusal.

Summary of Objections - many of which repeat comments made in relation to application 181383

- An increase in noise and disturbance: The private space is not well laid out. A smoking and socialising area has been sited next to the kitchen and the downstairs bedroom of the adjoining property thereby increasing noise and disturbance to neighbours.
- Anti-social behaviour has already occurred, the police have been involved on more than one occasion.
- Loss of single-family housing
- Littering due to inadequate bin storage

- Inadequate car parking: There are more cars than a normal 4 bedroomed family dwelling because there are 6 bedrooms. This application will increase it to 7 with potential for 14 cars, which is far too big for this road. The proposed enlarge drop kerb would further reduce the parking availability for other residents, in favour of this one individual property.
- Loss of Biodiversity : due to plastic grass
- This property should be returned to the 4-bedroom single occupancy dwelling for which planning permission was originally granted.
- Rubbish bins are not used correctly and are regularly over filled.
- Local Schools and GP surgery are at capacity.

Objections highlighting anomalies in the submitted application form including:

- Item 5 Description of the Proposal. The agent states the change of use has not started. The 7th bedroom in the building at the end of the garden was occupied prior to the date of this application.
- Item 9 Vehicle & Parking. The agent states that vehicle parking is not relevant to the application. Where are the additional occupants going to park? The application clearly states ...with parking and amenities.
- Item 10 Trees & Hedges. The trees in the original garden were removed at the start of the development to facilitate the building being erected.
- Item 13 Foul Sewage. The agent has answered 'Unknown' when all services are in place.
- Item 14. Waste Storage & Collection. Where, on the plans, does it show adequate storage of waste? The bins have been lined up close to the house and the adjoining property.

Officer note: bin storage is indicated on Proposed site plan Pl-09 Rev B.

- The 'outbuilding' has been fitted out as a stand-alone bungalow and occupied well in advance of the application for change of use.

5. RELEVANT PLANNING POLICY AND GUIDANCE

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.
- 5.2 The following local and national planning policy and guidance is relevant to this application:

The New Reading Borough Local Plan was adopted by the Council on 4th November 2019.

Reading Borough Local Plan (Expected Adoption November 2019)

- CC1: Presumption in Favour of Sustainable Development
- CC2: Sustainable Design and Construction
- CC3: Adaptation to Climate Change
- CC5: Waste Minimisation and Storage
- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- CC9: Securing Infrastructure
- EN18: Flooding and Drainage
- H1: Provision of Housing
- H3: Affordable Housing

- H8: Residential Conversions
- H9: House Extensions and Ancillary Accommodation
- H10: Private and Communal Outdoor Space
- TR1: Achieving the Transport Strategy
- TR3: Access, Traffic and Highway-Related Matters
- TR5: Car and Cycle Parking and Electric Vehicle Charging
- EN15: Air Quality
- EN16: Pollution and Water Resources

Supplementary Planning Document (SPDs)

Residential Conversions, 2013 SPD

Revised Parking Standards and Design SPD, 2011

Planning Obligations under Section 106, 2015

6. APPRAISAL

The main matters to be considered are:

- Principle of development
- Amenity of Existing and Proposed Residents
- Design
- Transport
- Flooding
- Community infrastructure levy & Affordable Housing
- Equalities impact

Application 191383/VAR

Principle of development

- 6.1 An increase in size of the built form of the property at 8 St Johns Road has already been found acceptable by virtue of planning permissions 161109, 162214 and 171850 (set out in detail in the planning history section above). However, the development as built is not in accordance with the approved plans and the purpose of this application is to have these changes approved. Consideration of these changes is set out below.
- 6.2 Although the applicant has argued that the single storey structure benefits from being permitted development officers consider that one important constraint on Permitted Development within this Class of Part 1 in the GPDO is the purpose for which the building has been erected. The wording of the Order is restrictive; it only permits the erection of such a building if it is “required for a purpose incidental to the enjoyment of the dwellinghouse”. The term ‘incidental’ as used by the GPDO can exclude residential use of the property as separate self-contained accommodation. This building has been used since its construction as a separate dwelling and has not been used as an outbuilding as defined by the GPDO. The structure therefore does not benefit as being permitted development associated with 8 St John’s Road and requires planning permission.
- 6.3 Policy H9 states that ‘ancillary accommodation’ will only be acceptable where it would **not** be capable of operating as a separate dwelling which could be let or sold separately. The single storey self-contained structure to the rear, as indicated on the submitted plans, is therefore clearly contrary to Policy H9 and on consideration of other relevant factors as set out below is recommended for refusal on this basis.

Amenity of Existing and Proposed Residents

- 6.4 In relation to the proposed extensions to the main dwelling Policy CC8 and H9 set out that development will not be acceptable where it causes a significant detrimental impact to the living environment of existing or new residential properties. This is in terms of privacy and overlooking, access to sunlight and daylight, visual dominance and overbearing effects and other factors.
- 6.5 With regards to privacy the building as constructed has no side facing first floor windows and so is considered to maintain the privacy of the occupants of 10 and 12 Montague Street. As considered in previous applications the first floor rear facing windows do not have an unacceptable impact on 10 St John's Road and its existing rear extension. The alterations to the roof form of the two storey rear extension and increase in width of the rear extension are also not considered to have a worse impact than as previously permitted. It is considered that any overshadowing caused to be relatively small scale and so does not significantly harm the living environment of the occupiers of the neighbouring properties.
- 6.6 The increased height of the pitched roof and increase in length of the front extension are adjacent to the rear boundary of 10 and 12 Montague Street. The works as built have a greater depth and greater height than the former triple garage and permitted flat roof garage, however the further increase in height is only for a limited depth of the structure, which is set to the north of these properties. It is therefore considered on balance that the slightly increased negative impact on the living environment of the neighbouring occupiers in terms of overbearing effects or loss of light would not warrant the refusal of planning permission.
- 6.7 The single storey rear structure is not considered to cause overlooking or overbearing impacts to neighbouring dwellings. However due to its siting within the rear garden of No 8 St Johns Road and its proximity to the adjacent private rear gardens of properties on Montague Street and St Johns Road this structure is considered to have a significantly detrimental effect on the residential amenity of adjoining neighbours in terms of noise and disturbance. This is due to the location of the open external access to this structure, utilised by the occupiers and visitors, being directly adjacent to the rear boundary of properties on Montague Street increasing the footfall to the rear of these dwellings. The independent 'front door' to this unit and its associated activity is located within the rear garden of 8 St Johns Road resulting in disturbance to neighbouring private domestic rear gardens. This structure has also been assessed and considered to be harmful overdevelopment by reducing the available amenity space for the occupiers of the main dwelling. The cumulative impact of the large extensions, additional structure and hardstanding has reduced the rear garden size by 50%. The remaining area of amenity space is inadequate to serve the needs of the occupants for the size of dwelling as built and as a ratio of overall site. The proposal is therefore considered to be contrary to Policy CC8 and H9 and H10 and is recommended for refusal.

Design

- 6.8 With regard to Policy H9 House Extensions it is considered that the two storey side and single storey rear extension to the main house, as built, is in keeping with the former property in terms of scale, location, materials and design and found to be acceptable.

- 6.9 The side extension remains single storey however the now pitched roof is clearly visible in the street scene and removes an element of green roof. In relation to the impact on the streetscene, when considered in the context of the adjacent single storey pitched roof extension at 12 Montague Street the new roof shape does not result in the application property appearing uncharacteristically larger than other properties in the area to warrant refusal.
- 6.10 However the residential frontages on St Johns Road in the vicinity of the application site are characterised by small front yards containing some vegetation with a variety of boundary treatments. On the eastern side there is some existing on site parking but these dwellings have also retained a front boundary and some landscaping. Within the application site the area of lawn and the front boundary wall have been removed to facilitate parking on the site frontage and the amended plans make no provision for soft landscaping or boundary treatment to mitigate the visual harm caused. The proposal is therefore not considered to respect the character and pattern of neighbouring properties and appearance of the street as a whole and is recommend for refusal on this basis as contrary to policy CC7 and H9.

Transport

- 6.11 The comments of objectors have been fully noted in relation to matters of parking. Three parking spaces have been illustrated on the submitted block plan (PL-02) and this has been found acceptable as it replaces the 3 original garages. If the required number of car parking spaces (3) can be provided on site to meet the Council's parking requirement this is considered to be adequate. However, to comply with current standards access to these spaces requires the existing access to be widened. This will require a license from the Highways Department and will need to be illustrated on revised plans. This can be required by condition if the variation application were to be approved and therefore does not form a reason for refusal.

Flooding

- 6.12 The application property sits in Flood Zone 3 and the Reading Borough Council, Strategic Flood Risk Assessment (2009) shows, in figure 8, that the site has a 1 in 100 year floor depth of between 0.3m and 1m. The risk of flooding from surface water is considered to be low by the Environment Agency. Flood resilience and resistance measures which have been included in this scheme are:
- Setting the floor levels no lower than existing floor levels
 - Using materials with low permeability to at least 0.3m.
 - Using flood resilient materials (eg lime plaster) and design (raised electrical sockets) in proposed works
 - Making sure there is access to all spaces to enable drying and cleaning
 - The use of permeable materials in the creation of the proposed rear terrace and front paving, to limit the area of impermeable surfaces on the site.
 - Installation of water butts to the rear of the garage/store, to assist in management of surface water runoff

- 6.13 It is considered that these measures have appropriately addressed the flood risk at the site and made appropriate efforts to ensure that the risk is not unduly increased either at the site or neighbouring properties in accordance with Policy EN18: Flooding and Drainage.

Application 191385

Principle of development

- 6.14 The planning application form describes the application as being for the change of use of a C4 (small HMO) to a 7 bed Sui Generis HMO. Notwithstanding the argument set out above regarding whether the structure in the rear garden is authorised (paragraph 6.2) even if the structure was authorised in planning terms the proposal is considered unacceptable in principle on 2 grounds.
- 6.15 Firstly, Policy H8 Residential Conversions explicitly sets out in the case of sui generis houses in multiple occupation: To be acceptable the property to be converted should measure more than 120 square metres gross. This policy seeks to ensure appropriate residential conversions whilst maintaining a supply of family housing and protecting the character and amenity of the surrounding area. This requirement is reiterated within the Council's Residential Conversion SPD (at Checklist 6) and states when calculating the floor area of the property the measurement should be based on the external dimensions as at 1st July 1948 or when built (whichever is the later).
- 6.16 The dwelling prior to the extensions being erected was a three bed dwelling with a floor area of approximately 90 sq metres. This includes the ground and first floor but not the conservatory and garage block. The conservatory does not appear to be an original feature and if included would not result in the overall floor area exceeding 120m, and the former triple garage gained permission in 1955. The proposal is therefore contrary to Policy H8 and the Council's Residential Conversions Supplementary Planning Document due to the small size of the original dwelling.
- 6.17 Secondly, the separate structure is set 8m from the rear doors of the main house and accessed through a garden open to the elements. On this basis this unit cannot be considered as an acceptable 7th bedroom within a large HMO as this occupant does not have adequate access to shared facilities for cooking as these are located within the main dwelling. Therefore, planning permission should not be granted for a 7 bedroom HMO based on the current layout.
- 6.18 This assessment now considers the relevant criteria for conversions for Large Sui generis HMO as set out in Policy H8 and the detailed Checklist within the Council's Residential Conversion SPD. The proposal does not result in HMOs representing 25% of the residential properties within a 50m radius (measured from the application site) and in general, many of the criteria are met in relation to internal room sizes. However, there remain a number of important failures, as set out below, which support a recommendation for refusal on the basis of being contrary to Policy CC7, CC8, H8, H9 and the Council's Residential Conversion SPD.
- 6.19 Checklist 1 seeks that any external alterations must be carried out sympathetically, respecting the physical character of the area. Checklist 15 sets out that the removal of boundary treatment to accommodate parking or access to parking will not be permitted where it makes a valuable contribution to the character of the area.
- 6.20 As set out above the residential frontages on St Johns Road in the vicinity of the application site are characterised by small front yards containing

some vegetation with a variety of boundary treatments. On the eastern side there is some existing on site parking but these dwelling have also retained a front boundary. An area of lawn and the front boundary wall has been removed to facilitate parking on the site frontage and the amended plans make no provision for soft landscaping or boundary treatment to mitigate the visual harm caused. The proposal is therefore considered to not respect the character and pattern of neighbouring properties and appearance of the street as a whole.

- 6.21 Checklist 2 states that extensions must achieve acceptable residential amenity for existing and new occupiers plus respect the character of the existing house and area ensuring outside amenity space is not unacceptably reduced. Checklist 4 also requires an appropriate level of private outdoor space will be expected. When considering HMOs an equivalent level to a house will be considered appropriate, in that the useable private outdoor space should be no less than the gross floor area of the dwelling to which it relates (measured externally and including garage space).
- 6.22 Due to the erection of the extensions and the single storey structure with enclosed area, the usable amenity space becomes approximately 110 sq m in size. This comprises of a patio and the area of lawn between the rear of the house and the single storey structure itself. The ground floor area of the main dwelling alone exceeds 160 sqm and therefore the retained area of amenity space is considered to be inadequate compared to size of dwelling as built and ratio of overall site.
- 6.23 Checklist 5 states the issues that need to be taken into account in any residential conversions application including matters of:
- privacy and overlooking,
 - access to sunlight and daylight,
 - visual dominance and overbearing effects of a development,
 - **noise and disturbance**
 - **crime and safety.**
- 6.24 As set out in relation to the previous application the physical alterations to the building are not considered to cause overlooking or overbearing impacts. However, the intensification of the use of the site as a 7 bed HMO utilising both the main dwelling as extended and the separate building to the rear is considered to cause undue noise and disturbance to neighbours that adjoin the site and in the immediate vicinity. My paragraph 6.7 sets out that the separate building due to its location and external access directly adjacent to the rear boundary of dwellings on Montague Street; and tandem location at the rear of 8 St Johns Road results in disturbance to neighbouring private domestic rear gardens. Also due to the reduced size of the garden area to the rear of No 8 the external area available for all residents, also utilised as a smoking area, is situated directly adjacent to the to the side boundary with No 10 St Johns Road. This is considered to cause undue noise and disturbance to the private rear garden and ground floor of No 10 containing ground floor rear facing doors to serve the dwelling and a ground floor bedroom. The intensification of use of the site in terms of built form, reduction in external amenity space and number of adult residents is considered to cause significant harm to the residential amenity of neighbouring residents.

- 6.25 In relation to transport matters Checklist 13 requires parking standards for all residential conversions should be in accordance with the Council's adopted 'Revised Parking Standards and Design' (2011) SPD. Checklist 14 states HMOs located within a street where a residents' parking permit scheme operates will not be entitled to on-street car parking permits.
- 6.26 As set out in the Transport Officers comments above the provision of 3 on site parking spaces complies with the Councils parking standards for a 7 bed HMO. In this instance this is subject to an extension to the drop curb to provide access to the site which could be required by condition were the application to be recommended for approval. The site also now falls within a newly created residents parking zone and transport officers have confirmed that residents of the HMO will not automatically be granted parking permits therefore any unauthorised on street parking can be regulated.
- 6.27 Amenity issues have been raised through public consultation as summarised in the third party comments section above. The site is able to accommodate the required number of parking spaces and on street parking can now be monitored.
- 6.28 The SPD also requires outdoor cycle storage to be secure, covered and in a convenient location; and sufficient and suitable refuse containers should be provided within the building curtilage. These should be easily accessible for all occupants of the house and refuse collectors; and ensure they are sympathetically located with regard to their visual impact. Both cycle and refuse facilities have been shown on the Proposed Site Plan (PL-09 Rev B) and there is space within the site to accommodate these. A proper agreement could also be required to ensure acceptable management of all communal parts of the HMO. Therefore, if the proposal were to be recommend for approval these 3 matters could be subject to condition.
- 6.29 **Flooding**
The applicant is required to submit a Flood Risk Assessment in relation to this application, as with application 191383 above which was considered to be acceptable in relation to flooding matters. The change of use sought will not alter the vulnerability classification of the development which remains 'more vulnerable' the class for a 'dwelling house'. The Sequential and Exception Tests do not need to be applied to minor developments and changes of use, except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site. The Flood Risk Assessment and any comment from the Environment Agency to be updated at your meeting.
- 6.30 It is noted that had this been an application included the separate rear structure as an independent dwelling the proposal would be required to be accompanied by a Flood Risk Assessment, Sequential Test and Exception Test as the site is within Zone 3.

Community Infrastructure Levy & Affordable Housing

- 6.31 The proposal if approved, would result in additional floor space in the form of the single storey building to the rear that would be CIL chargeable.

Equalities Impact

- 6.32 When determining this application the Council is required to have regard to its obligations under the Equality Act 2010. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application. Therefore, in terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

7. CONCLUSION

- 7.1 Both proposals have been carefully considered in the context of the Reading Borough Council Local Plan (adopted November 2019), and supplementary planning documents and for the reasons set out above are not considered to be acceptable and both applications are recommended for refusal.

The submitted plans both 191383 nad 191385 are identical with the exception of an additional site layout plan PL-09 Rev B



E-03 Left Elevation 1:100

E-04 Right Elevation 1:100

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All dimensions to be checked on site and any discrepancies to be reported before work commences.

Notes:

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IN PROGRESS

1:100
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RICS

Client: **Mr Saffron Kifle**

Job Title: **Two-storey rear extension**
8 St. John's Road, Caversham, Reading, Berkshire, RG4 5AN

Drawing Title: **Elevations Left - Right**

Drawing Date:	19/08/19	Status:	Planning
Issue Date:	19/08/2019	Drawn By:	KC
		Scale:	1:100@A3
Job No:	8779-19	Drawing No:	PL-08
		Rev:	

E-01 Front Elevation 1:100

E-02 Rear Elevation 1:100

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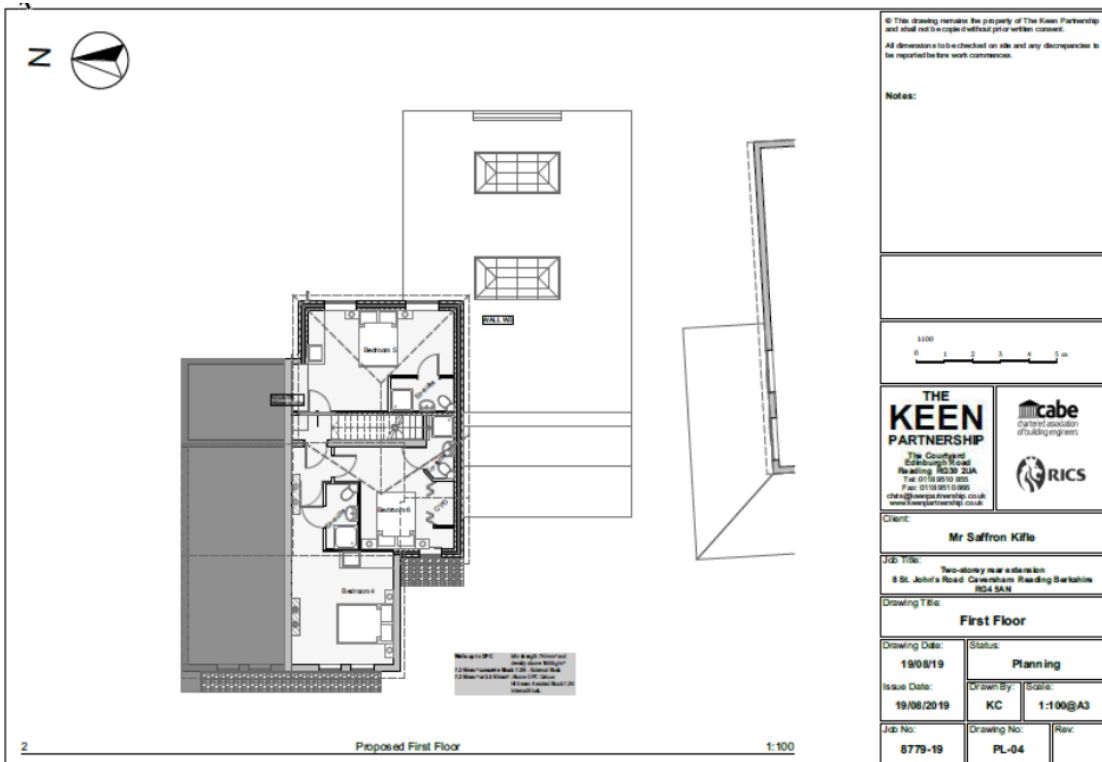
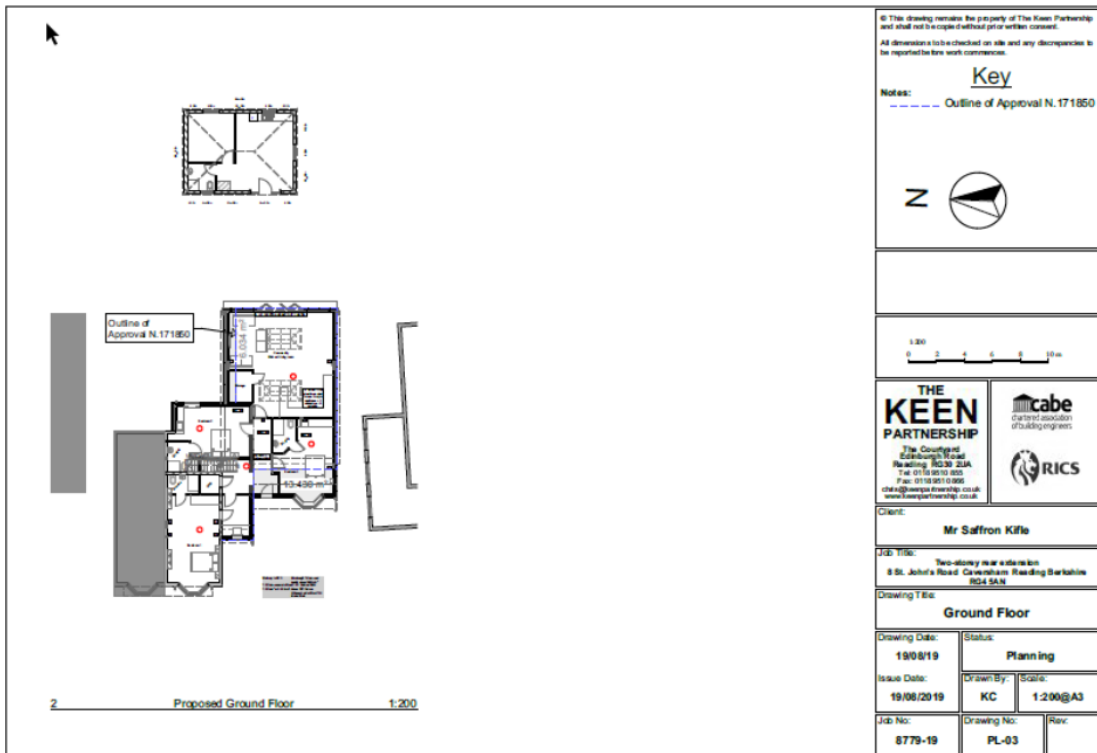
RICS

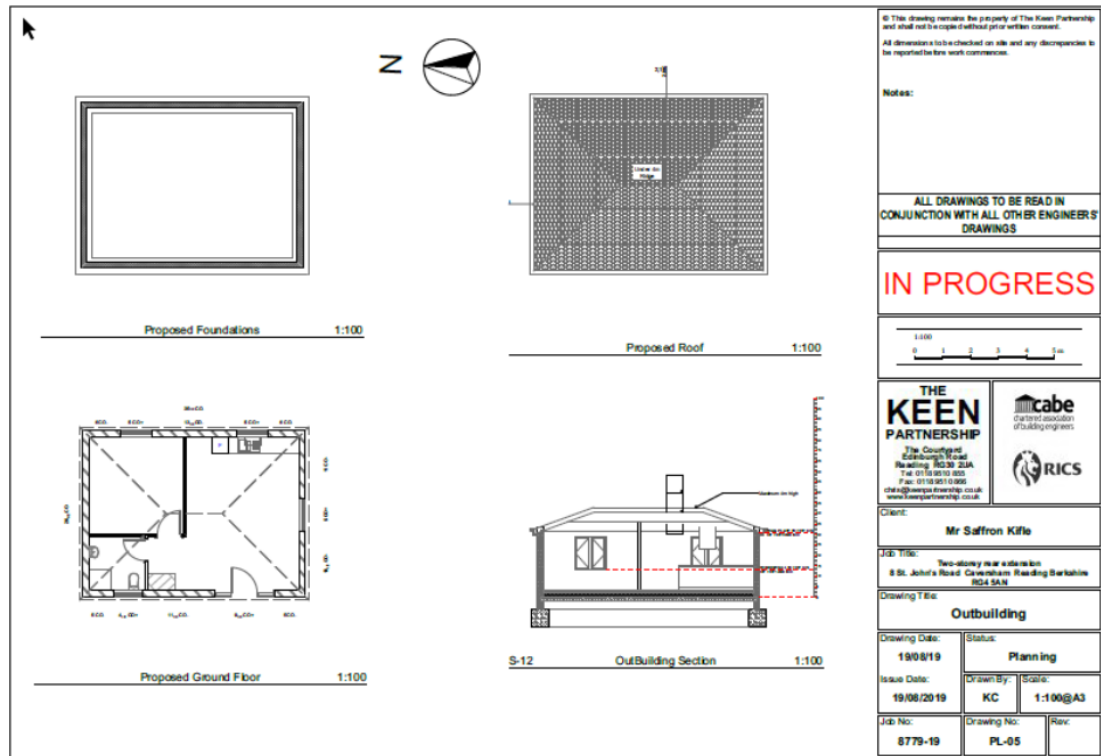
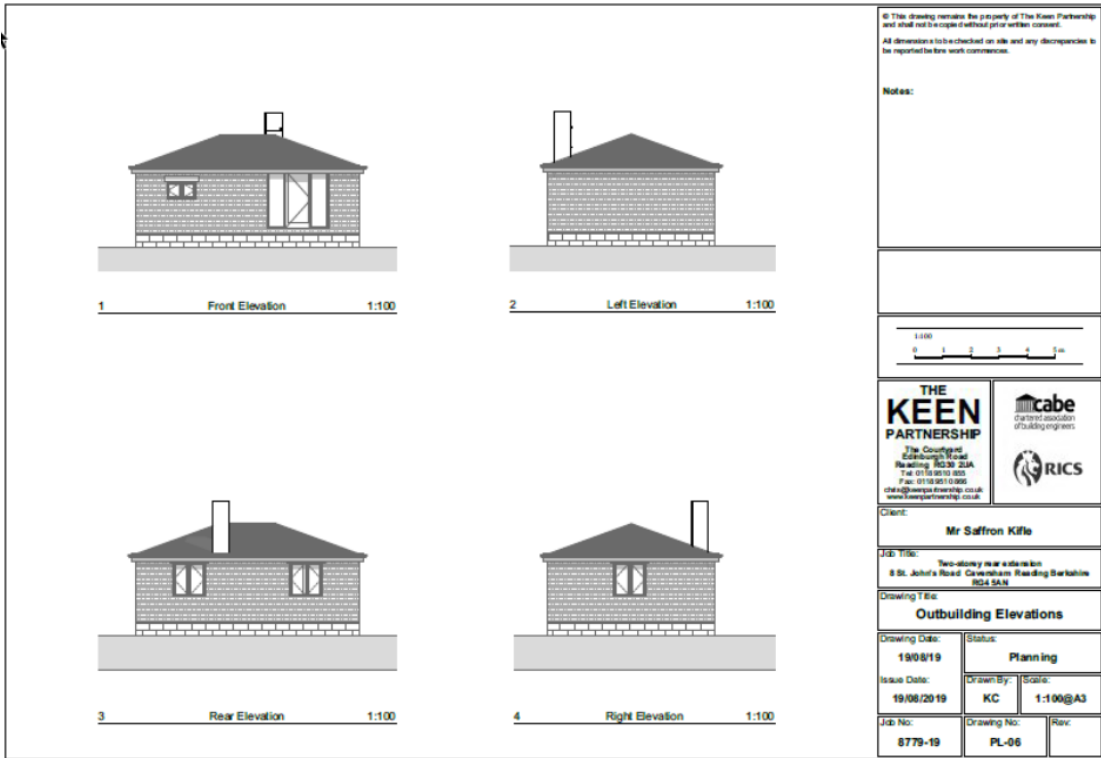
Client: **Mr Saffron Kifle**

Job Title: **Two-storey rear extension**
8 St. John's Road, Caversham, Reading, Berkshire, RG4 5AN

Drawing Title: **Elevations Front - Rear**

Drawing Date:	19/08/19	Status:	Planning
Issue Date:	19/08/2019	Drawn By:	KC
		Scale:	1:100@A3
Job No:	8779-19	Drawing No:	PL-07
		Rev:	





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COMMITTEE REPORT

BY THE DIRECTOR FOR ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES
READING BOROUGH COUNCIL
PLANNING APPLICATIONS COMMITTEE: 15th January 2020

Ward: Church

App No: 191755/FUL

Address: 60 Christchurch Road, Reading

Proposal: Change of use of ground floor to Class A3 cafe/restaurant. Changes to shop front and kitchen extract equipment on rear flat roof.

Applicant: M Gill

Date validated: 12/11/19

Application 8 week target decision date: 27/12/19

Extension of time: Agreed for 20 January 2020

RECOMMENDATION

Grant Full Planning Permission, subject to the following conditions and informatives:

Conditions:

1. Time Limit
2. Approve Plans
3. Materials (to be approved)
4. Pre-commencement Delivery and servicing plan (including waste)
5. Pre-commencement acoustic assessment:

No mechanical plant shall be installed until a noise assessment of the proposed mechanical plant has been submitted and approved by the Local Planning Authority. The assessment shall be carried out for in accordance with BS4142:2014 methodology. The predicted specific sound level (LAeq,TR) (with reference to BS:4142) as measured at a point 1 metre external to the nearest noise-sensitive facade shall be at least 10dB below the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The predicted rating level, LAr,Tr (specific sound level plus any adjustment for the characteristic features of the sound) as measured at a point 1 metre external to the nearest noise-sensitive facade (habitable window of a dwelling) shall not exceed the pre-existing background sound level, LA90,T when all plant/equipment (or any part of it) is in operation. The plant shall thereafter only be installed in accordance with the assessment and shall thereafter be maintained so that it operates to the same standard.

6. Pre-commencement odour management:

No development shall commence on site until an odour assessment has been carried out and a detailed odour management plan to include scaled plans, odour control specifications and a maintenance plan has been submitted to and approved in writing by the Local Planning Authority. Reference shall be made to the DEFRA guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems (Jan 2005) when assessing potential odours and selecting appropriate odour control methods. Thereafter, the development shall not be carried out other than in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority.

7. Hours of opening (0700-2300)

8. Glazing to be kept free of obstruction
9. Any takeaway component to remain ancillary to main use

Informative

1. Positive and proactive
2. Terms
3. Pre-commencement conditions
4. Further Advert Approvals Required
5. Building control

1. Introduction

- 1.1 The application site is a part 2 storey and 3 storey end of terrace building within the Christchurch Road Local Centre. It is a vacant A1 dry cleaners, with a vacant flat split over first and second floors. The surrounding area is a mix of commercial and residential premises, with residential above the adjacent commercial premises.
- 1.2 Parking is within a shared, unrestricted on-street section in front of the commercial premises.
- 1.3 There is a pedestrian access to the flat from a side door. The staircase to the flat above, could previously be accessed from inside the shop too.
- 1.4 At the time of the site visit the single storey rear extension (permitted under 170254) had been constructed.



Location plan

2. Proposal

- 2.1 The proposal is for the change of use of the ground floor from A1 to A3 (café/restaurant) with new shopfront, new internal bin store to the rear

(doors to the bin store on the rear elevation only) and associated internal changes including customer toilets (one disabled).

3. Background information

3.1 Application 181571/FUL for the same proposal was validated on the 6th of September 2018. The application was assessed under the superseded local development framework. The application was refused by officers (on the 4th of February 2019) as it failed to meet the policy requirements of the time. A subsequent appeal was lodged (APP/E0345/W/19/3228388) which was dismissed on 27th August 2019. The key matters that the Inspector had regard to when dismissing the appeal were:

- The effect of the proposed change of use on the retail function of a Local Centre;
- The effect upon the living conditions of neighbouring residential occupiers, with particular regard to cooking odours; and
- Whether or not appropriate provisions would be made for the storage of refuse/waste.

3.2 In the preface to the Inspectors report it was made clear that little weight was afforded to the emerging new Local Plan as it was yet to receive the examining Inspectors report that covered soundness. An extract from this decision is given below:

“Whilst I note reference in the advice to the emerging Local Plan potentially being formally adopted as soon as October 2019, I have given relevant emerging policies limited weight in my consideration of this appeal.”

3.3 The appeal Inspector upheld the first point above as the main reason for refusal. The Inspector however concluded that the reasons for refusal relating to bin storage and odour impacts could be addressed by conditions.

3.4 Lastly, on the concerns raised by neighbours including: parking, delivery arrangements, air quality, potential noise disturbance/anti-social behaviour and the effect upon neighbouring living conditions, the Inspector did not find it necessary to address these concerns as the application had been found unacceptable for the reasons stated above.

3.5 The appeal decision was determined under now superseded policies, which have differing requirements within centres and as such is not directly relevant to the current application.

3.6 It should be noted that there was an agreement by the Inspector and Officers that the previously refused scheme would have been acceptable when assessed against the new Local Plan policies.

4. Current uses within Christchurch Road local centre

4.1 Representations have been made in relation to the mix of uses within the centre. Members will recall the previous application approved at December Committee for no. 76 Christchurch Road. The table below and following plan have been updated to show the current approved uses within the centre.

Table 1 - Existing and approved uses in frontage (including percentages)

Address	Use Class	Total Length	Percentage of frontage
56 Christchurch Road	A1 (Heating showroom)	7.1m	9.3%
60 Christchurch Road	A1 (Dry Cleaners)	5.1m	6.6%
62 Christchurch Road	A3 (Sizzling Spice)	5.3m	6.9%
64 Christchurch Road	A5 (Domino's)	5.1m	6.6%
66 Christchurch Road	A2 (Adam's Estates)	5.1m	6.6%
68 Christchurch Road	A1 (Lloyd's Pharmacy)	5.1m	6.6%
70 Christchurch Road	A1 (Costcutter)	5.3m	6.9%
72-74 Christchurch Rd	A1 (Today's Local)	12.2m	15.9%
76 Christchurch Road	Approved as A5 (December 2019)	6.1m	7.9%
78 Christchurch Road	A2 (Cintra Estates)	6m	7.8%
80 Christchurch Road	A3 (KungFu Kitchen)	5.7m	7.7%
82 Christchurch Road	A1 (Greggs)	3.6m	6%
2 Northcourt Avenue	A1 (Barbers)	3.3m	4.7%
Total Length of Centre		75m	60% RL3
Total Proportion of A1 & A2 in centre		54.1m	70.7%
Total Proportion of A1 & A2 in centre if approval issued		49m	64.1%

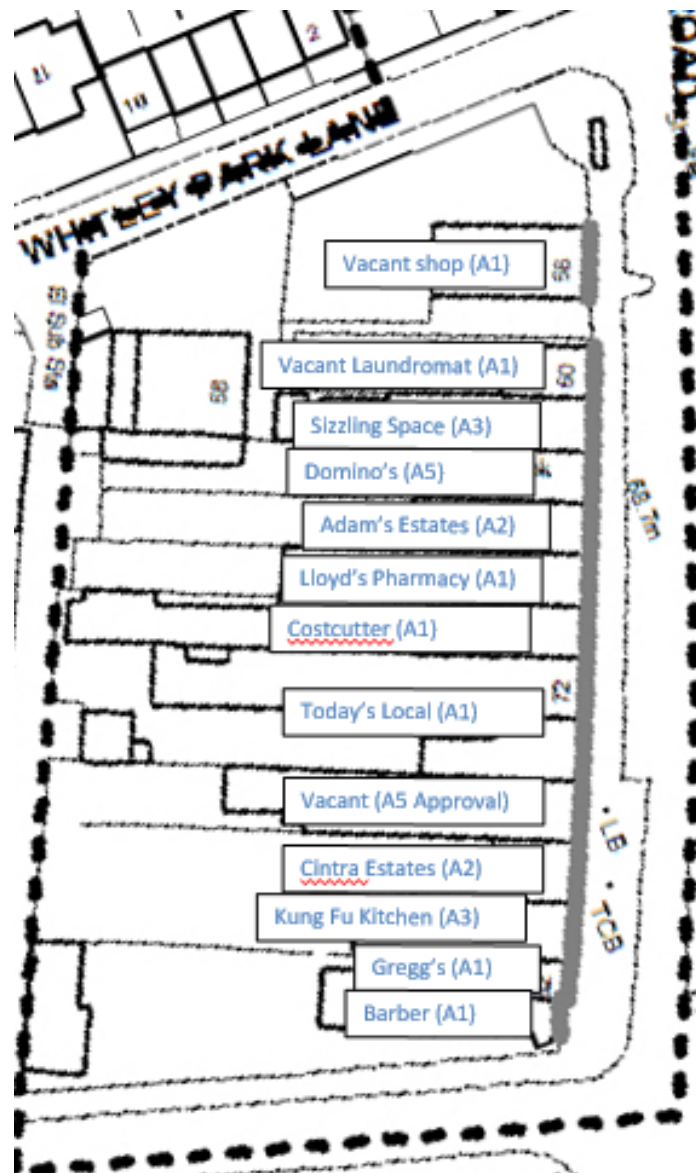


Figure 1 - Plan showing designated frontage within the centre

Figure 2 - Location Plan - the site



Figure 3 - Aerial Image

The site

Submitted plans and supporting documents

- Site Location Plan as Existing - Drawing no: 308-02-00
- Floor Plans as Existing [ground and first] - Drawing no: 308-01-00
- Existing and proposed elevations - Drawing no: 308a-05-10 Rev P
- GF & FF Proposed Floor Plans - Drawing no: 308a-03-10 Rev P
- Planning Statement
- Acoustic Report

5. Relevant Planning History

02/0217/FUL (020504) - Erection of single storey extension at the rear of existing building to form a storage area for laundry - Approved 17/4/02

170254 - Single storey rear extension to existing building, re-submission and alteration to expired consent 02/00217/FUL. Alteration comprises increase in length of extension of 6 metres - Approved 11/4/17

171491 - Change of use of building from Class A1 (shops) to A3 (restaurants). Prior Notification under Class C, Part 3 of Schedule 2 of the Town and

Country Planning (General Permitted Development) Order 2015 - Withdrawn 6/10/17

181828/APPCON - Discharge of condition 4 of planning permission 170254 - Discharged 16/11/18

181571/FUL - Change of use of ground floor to Class A3 café/restaurant, part single, part two-storey rear extension, changes to shopfront and kitchen extract equipment on rear flat roof and increase of first and second floor flat to create small HMO. REFUSED, DISMISSED at appeal Ref: APP/E0345/W/19/3228388.

6 Consultations

RBC Environmental Protection

No objections subject to conditions and informatives.

RBC Transport

No objections subject to conditions and informatives.

RBC Licensing

No objections.

Public Consultation:

Nos. 56, 56A, 58, 60A, 62, 62A, 83 and 83A Christchurch Road and Top Gear Tyres, Whitley Park Lane were consulted. A site notice was erected, 15 no. responses were received. A summary of the objections is as follows:

- Noise
- Impacts to highway safety - users, deliveries, delivery vehicles, parking
- Litter and antisocial behaviour
- Rats associated with waste storage
- Noise impacts (including those potentially associated with opening hours)
- Trade waste disposal
- Number of café/restaurants in the area
- Cooking Odour impacts
- Litter and appearance of rear lane *Officer Note: Subject site does not have any access to rear lane*

7. RELEVANT PLANNING POLICY AND GUIDANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise. Material considerations include relevant policies in the National Planning Policy framework (NPPF) - among them the 'presumption in favour of sustainable development'.

The following local and national planning policy and guidance is relevant to this application:

NPPF

Section 7: Ensuring the Vitality of Town Centres

Reading Borough Local Plan (2019)

- CC1: Presumption in Favour of Sustainable Development
- CC2: Sustainable Design and Construction
- CC3: Adaptation to Climate Change
- CC4: Decentralised Energy
- CC5: Waste Minimisation and Storage
- CC7: Design and the Public Realm
- CC8: Safeguarding Amenity
- CC9: Securing Infrastructure
- H1: Provision of Housing
- H3: Affordable Housing
- H10: Private and Communal Outdoor Space
- TR1: Achieving the Transport Strategy
- TR3: Access, Traffic and Highway-Related Matters
- TR5: Car and Cycle Parking and Electric Vehicle Charging
- EN15: Air Quality
- EN16: Pollution and Water Resources
- EN17: Noise Generating Equipment
- RL1: Network and Hierarchy of Centres
- RL3: Vitality and Viability of Smaller Centres
- OU2: Hazardous Installations
- OU5: Shopfronts and Cash Machines

Supplementary Planning Document (SPDs)

- Affordable Housing SPD, 2013
- Revised Parking Standards and Design SPD, 2011
- Planning Obligations under Section 106, 2015
- Sustainable Design and Construction, 2011

8. APPRAISAL

The main matters to be considered are:

- Effect on the Local Centre - Principle of development
- Amenity of Existing and Proposed Residents
- Design
- Transport matters
- Community infrastructure levy
- Equalities impact

Effect on the Local Centre - Principle of development

- 8.1 The proposed development is to be assessed against the Reading Borough Local Plan 2019 which was formally adopted at the Full Council meeting on 4th November. The previous application was assessed against Policy DM13 of the Sites and Detailed Policies Document (2012, amended 2015). For clarity, the policies and differences are outlined below.
- 8.2 Superseded Policy DM13 required that:

(i) *Within the Key Frontages (identified on the Proposals Map), development involving a net loss of A1 retail to other ‘centre uses’ will only be permitted where:*

□ *There would be no more than 3 consecutive units which are not in A1 retail use; and*

□ *The proportion of the total length of the Key Frontage within the centre that is in A1 retail use would exceed the relevant proportion...”*

Officer Note: For Christchurch Road this was 50%.

8.3 The original change of use application for 60 Christchurch Road to A3 use would have resulted in 4 consecutive units (No. 66, 64, 62 and 60) being in non-A1 use and therefore failed this part of the policy. In addition, the proportion of the total length of the Key Frontage in A1 use would have reduced from 56.2% to 49.5%, i.e. below 50%.

8.4 The new Local Plan Policy RL3, is different to Policy DM13 and reads:

a) Within the Key Frontages (identified on the Proposals Map), development involving a net loss of A1 retail or A2 financial and professional to other ‘centre uses’ will only be permitted where:

□ *There would be no more than 3 consecutive units which are not in A1 or A2 retail use; and*

□ *The proportion of the total length of the Key Frontage within the centre that is in A1 or A2 use would exceed the relevant proportion...”*

Officer Note: For Christchurch Road this is currently 60%.

8.5 For clarity, that the superseded policy DM13 and the new Policy RL3 and the differences are highlighted below:

Superseded Policy (DM13)	Current Policy (RL3)
<p>a) <i>Within the Key Frontages (identified on the Proposals Map), development involving a net loss of A1 retail to other ‘centre uses’ will only be permitted where:</i></p> <ul style="list-style-type: none"> • <i>There would be no more than 3 consecutive units which are not in A1 retail use; and</i> • <i>The proportion of the total length of the Key Frontage within the centre that is in A1 use would exceed the relevant proportion below:</i> <p>Christchurch Road Local Centre: 50%</p>	<p>b) <i>Within the Key Frontages (identified on the Proposals Map), development involving a net loss of A1 retail or A2 financial and professional to other ‘centre uses’ will only be permitted where:</i></p> <ul style="list-style-type: none"> • <i>There would be no more than 3 consecutive units which are not in A1 or A2 retail use; and</i> • <i>The proportion of the total length of the Key Frontage within the centre that is in A1 or A2 use would exceed the relevant proportion below:</i> <p>Christchurch Road Local Centre: 60%</p>

8.6 This policy change, by grouping A1 uses with A2 uses, acknowledges that these uses can now interchange use as “permitted development” without planning

permission being granted. It makes a difference to how we assess impact on the retail offer.

- 8.7 The application site is within the Local Centre of Christchurch Road as defined within Policy RL1, which states that “the vitality and viability of these centres should be maintained and enhanced.” Policy RL3 provides further detail with regard to the balance of uses within specific centres. This requires that: *“Within the Key Frontages (identified on the Proposals Map), development involving a net loss of A1 retail or A2 financial and professional to other ‘centre uses’ will only be permitted where:*
- *There would be no more than 3 consecutive units which are not in A1 or A2 retail use; and*
 - *The proportion of the total length of the Key Frontage within the centre that is in A1 or A2 use would exceed the relevant proportion...*
 - *Christchurch Road - 60%”*

And

Within district, major local and local centres, development will be permitted provided that:

- *... at ground floor new development should provide some ‘centre uses”*
- 8.8 As outlined above, the same application which was recently refused (and subsequently dismissed at appeal) was assessed against the Core Strategy (2008, altered 2015) and the Sites and Detailed Policies Document (2012, altered 2015), which had differing requirements on uses within the key frontage. In the previous case, the number of units resulting from that approval would have been more than the 50% guidance for non-A1 units within the frontage and the number of consecutive units not in A1 use.
- 8.9 The proposed change of use at the application site to A3 would lie between an A1 unit (Vacant heating shop), Sizzling Spice (A3), Domino’s Pizza (A5) and Adam’s Estates (A2) as such would not result in more than 3 consecutive units not in A1 and A2 use.
- 8.10 In addition, the overall proportion of uses within A1 and A2 use, currently at 70.7% would only fall to 64.1%, which is in excess of the 60% target as outlined above.

Amenity of Existing and Proposed Residents

- 8.11 A number of amenity issues have been raised through public consultation related to matters set out under Policy CC8: Safeguarding Amenity. This policy states that “Development will not cause a significant detrimental impact to the living environment of existing or new residential properties, in terms of:
- Privacy and overlooking;
 - Access to sunlight and daylight;
 - Visual dominance and overbearing effects of a development;

- Harm to outlook;
- Noise and disturbance;
- Artificial lighting;
- Vibration;
- Dust and fumes;
- Smell;
- Crime and safety; or
- Wind, where the proposals involve new development of more than 8 storeys.

As well as immediate impacts, other aspects to which this policy applies will include matters such as hours of operation of businesses, and effects of traffic movements, particularly of heavy goods vehicles (HGVs). Proposals which would generate regular movements of HGVs on residential roads will not be acceptable.”

8.12 The proposed ground floor change of use from A1 to A3 is within a Local centre where there are existing A3 and A5 premises and A1 shops. The issues raised by local residents are that the addition of a further A3 use would have a significant detrimental effect on amenity. Although responses indicate that there are issues with existing premises with respect to noise and disturbance, anti-social behaviour and litter, it is not considered that the addition of one unit would be so significantly different to the existing situation and it is not likely, given the Environmental Protection officer’s comments, that a reason for refusal on this basis would be possible to defend at appeal.

8.13 The Environmental Protection officer has recommended conditions which will require the submission of details of

- Odour and noise from kitchen extraction;
- Noise impact on development (from plant equipment)

for approval. Councillors are advised that they may choose to have an informative attached that would require the future discharge of conditions application to come to Committee for approval.

8.14 In the appeal decision (reference above), the Inspector concluded that, as the applicant was not yet aware of the future operator’s requirements a detailed odour assessment may not be practical at this time. The Inspector was content that a planning condition could be applied to satisfactorily guard against the potential odour nuisance. As such, this stance would be reasonable in this case given the lack of details as to what the kitchen equipment would be. All environmental protection conditions are detailed in the recommendations section above.

8.15 The Applicant has confirmed that arrangements would be made for waste and recycling to be collected on a daily basis by a private contractor such that an external storage area would not be required. The Council’s Waste Management Guidelines note that different commercial businesses produce

varying quantities of waste and that storage and collection arrangements shall vary accordingly. In the appeal decision the Inspector noted that the proposed ground floor plan indicates the provision of an internal store area, which could potentially be used for the temporary daily storage of café/restaurant waste. In this instance the Inspector was satisfied that a planning condition could be imposed to provide full details and assurances with respect to how refuse/waste would be stored at the property and the precise intended collection arrangements, as well as ongoing compliance with any details agreed. As such, a condition to secure bin storage and servicing is recommended.

Design

- 8.16 The proposed shopfront, which would move the entrance door to one side with the rest as windows, would not be unusual in the centre, where there are many examples of a range of shopfronts, and would be considered acceptable. No changes are proposed to the front elevation at first and second floors. The proposal would comply with Policies CC7 and OU5.
- 8.17 Notwithstanding the above, the applicant is in discussions with Officers regarding the shopfront. Any changes will be addressed in an update report.

Transport

- 8.18 The Initially Transport advised that the scheme would require its own parking provision and that as none was provided the scheme should be refused on transport/ parking grounds. However, following review of further information from past appeal decisions and reviewing TRICs data, concluded that there would be no increase in demand for parking over and above the existing A1 use and there would be no transport objection to the proposed scheme.

Community Infrastructure Levy

- 8.19 As the proposal does not involve either new build floorspace of 100sqm or more and the proposal does not include one or more dwellings through conversion or new build then there is no liability to pay for Community Infrastructure Levy.

Equalities Impact

- 8.20 In determining this application the Council is required to have regard to its obligations under the Equality Act 2010. The key equalities protected characteristics include age, disability, sex, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sexual orientation. There is no indication or evidence (including from consultation on the application) that the protected groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application.
- 8.21 In terms of the key equalities protected characteristics it is considered there would be no significant adverse impacts as a result of the development.

9. CONCLUSION

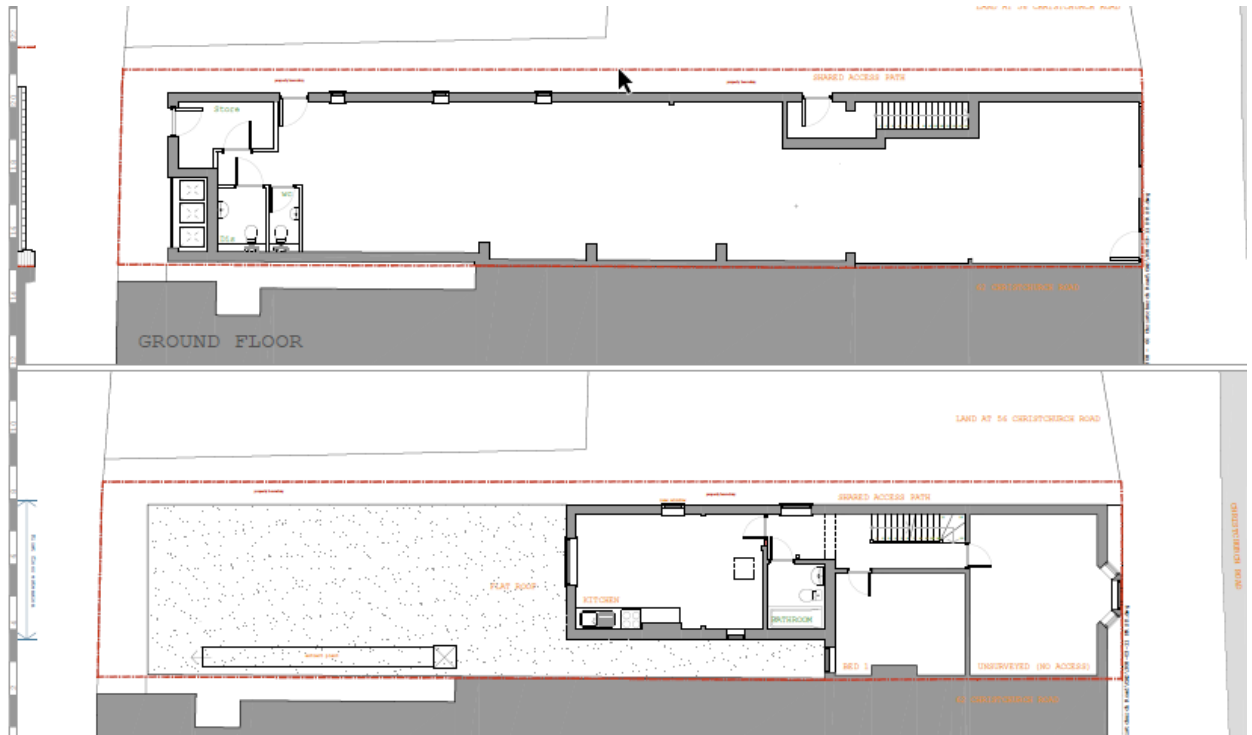
- 9.1 This proposal has been carefully considered in the context of the Reading Borough Council Local Plan (expected adoption November 2019), and supplementary planning documents. The proposed development is considered appropriate within the current policy context, and it is recommended that approval be granted subject to the above mentioned conditions and informatives.

10. RECOMMENDATION

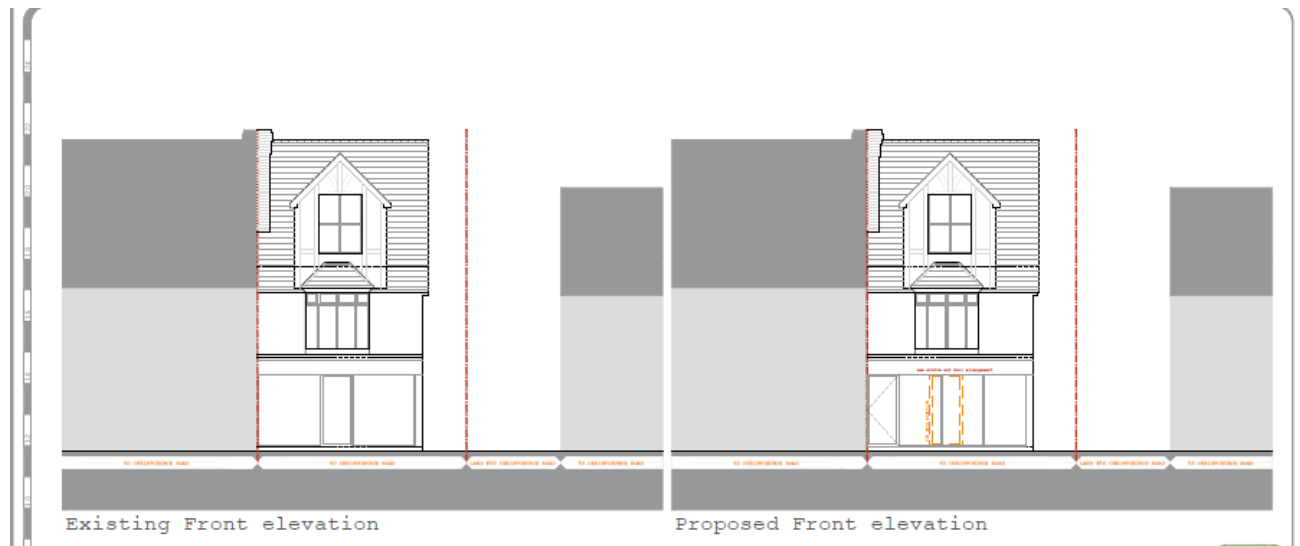
GRANT subject to conditions

Case Officer: Anthony Scholes

Plans



Proposed floor plan (and site plan)



Existing and proposed elevations

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